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Chairman: Mr. Zackheos ..... (Cyprus)

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The meeting was called to order at 3.10 p.m.

Requests for hearings

1. **The Chairman** informed the Committee that he had received additional requests for hearings relating to East Timor, contained in documents A/C.4/54/7/Add.2-5. He took it that the Committee wished to grant those requests.

It was so decided.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*)

Hearing of representatives of Non-Self-Governing Territories and petitioners

Question of Guam

2. *At the invitation of the Chairman, Mr. Bordallo (on behalf of the Governor of Guam) took a place at the Committee table.*

3. **Mr. Bordallo**, speaking on behalf of the Governor of Guam, said that, since 1950, the people of Guam had been citizens of the United States of America. Many had served in the United States armed services. His Government maintained an open and direct dialogue with the United States Government. The United States extended many benefits to Guam, and there were many ties between the two countries. Yet, under United States law, Guam was a possession, not a part of the United States; the United States Government made decisions about Guam without its consent, including decisions about immigration and control over land and resources.

4. Over a decade earlier Guam had proposed to the United States Government an interim autonomous status under United States sovereignty, in preparation for a vote by the Chamorro people on their choice for a sovereign self-governing status. The administering Power had finally responded that it would not grant that autonomy under its sovereignty. The colonized Chamorro people had therefore embarked on a path that pushed the process for self-government to a new level; under Guam law, they would vote on Guam's decolonized status before 4 July 2000.

5. The administering Power had indicated that it did not support that process, and Guam was therefore pleased with the consensus language in section VI, paragraph 1, of General Assembly resolution 53/67 B. A vote was planned in July 2000, and Guam appealed for continued support from Member States. For Guam to be decolonized, however, the United States Government must also respond to the wishes of the colonized people. When President Clinton had visited Guam in November 1998 he had expressed openness to hearing the views of the people; however, there was as yet no commitment on the part of the United States Government to the internationally sanctioned self-governing options of free association, independence or full integration on which Guam would vote.

6. Guam had requested the dispatch of a visiting mission to its Territory on the occasion of the vote, and hoped for the support of Member States in that regard.

7. *Mr. Bordallo withdrew.*

8. *At the invitation of the Chairman, Mr. Lujan (Organization of People for Indigenous Rights) took a place at the petitioners' table.*

9. **Mr. Lujan** (Organization of People for Indigenous Rights (OPI-R)) said that, for 17 years, OPI-R had repeatedly attempted to clarify the meaning of the phrase "people of Guam" so as to specify who had the right to self-determination. Since its first report to the United Nations in 1946, Guam's administering Power had cleverly manipulated the term used to identify the people of Guam, giving rise to considerable confusion, to the extent that some might think that all United States citizens residing in Guam, including the United States military, had the right to self-determination and decolonization. Yet it was the people of Guam — the Chamorro people — who had that right. Until the lifting of the United States requirement of security clearance to enter Guam, in 1962, the Chamorro people had been the sole inhabitants of their island. They had their own culture and traditions, language, and history, including 400 years of colonization, 100 years of it under the flag of the United States of America. The Guam Organic Act enacted by the United States in 1950 clearly acknowledged Guam's separate political existence; by virtue of that act, only certain portions of the United States Constitution, treaties and laws were applicable to Guam. Constitutional provisions which were not applicable included the tenth and eleventh amendments, which would limit United States federal authority and provide protection for Guam's laws, and the fourteenth amendment, which would protect the United States citizenship of the inhabitants of Guam. It was ludicrous for the administering Power to use Guam's citizenship status as a means to deny it right to self-determination, or to allege racism when the Chamorro people attempted to exercise that right.

10. With regard to draft resolution VI, appearing in the report of the Special Committee on Decolonization (A/54/23 (Part III)), he was unaware of the position of the United

States Government referred to in the eleventh preambular paragraph, and wished to know whether the phrase "the inhabitants of the Territories under United States administration" meant the inhabitants of the Territories and their descendants since the Charter of the United Nations had been signed. Assimilationist immigration policies, which had resulted in the systematic influx to Guam of outside immigrants and settlers, constituted a major obstacle to the genuine exercise of self-determination by the Chamorro people.

11. OPI-R welcomed the statement in paragraph 9 that the Plan of Action of the International Decade for the Eradication of Colonialism could not be concluded by the year 2000, because the push to achieve that goal was leading to unsatisfactory compromises. It also welcomed paragraph 10, but felt that the peoples of the Territories concerned should also have a voice in developing a framework for the implementation of the provisions of Article 73 of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples for the period beyond the year 2000.

12. Turning to part B, section VI of draft resolution VI, he said that, with regard to the third preambular paragraph, Guam must remain on the list of Non-Self-Governing Territories until it had attained the decolonization status chosen through the self-determination of the Chamorro people. With regard to the fourth preambular paragraph, no negotiations had taken place for some time concerning the status of Guam, and the draft Guam Commonwealth Act had been shelved for 11 years.

13. In paragraph 1, the word "requests" had replaced the phrase "calls upon"; he wondered whether there was any significance to that change. OPI-R emphatically opposed paragraph 2. It was unaware of any negotiations taking place in relation to the expressed will of the Chamorro people, and was gravely concerned about the distinction made between the Chamorro people and the so-called "people of Guam". The Chamorro people were the people of Guam.

14. In paragraph 6, the addition of the words "noting the special role of the Chamorro people in Guam's development" was a stratagem by the United States of America to have the Committee believe that the Chamorro people were merely an indigenous people in the Territory.

15. The land issue was another very important issue. A coalition of Chamorro organizations would be attempting to obtain its land through whatever means were necessary.

16. *Mr. Lujan withdrew.*

Question of Western Sahara

17. *At the invitation of the Chairman, Mr. Boukhari (Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro) took a place at the petitioners' table.*

18. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO)) said that for 24 years, the Saharan people had struggled against the Moroccan occupier to achieve their freedom and national independence, at the cost of a large number of innocent lives. Yet they had not lost faith that the United Nations would assume its responsibility to put an end to the unjust war that fostered insecurity and instability throughout the region and was contrary to the international interest and to the purposes and principles of the United Nations.

19. Under the settlement plan proposed by the United Nations and the Organization of African Unity (OAU) in 1988, a referendum should have been organized in 1992. To date it had still not been held because of Morocco's decision to change the original peace plan with the clear objective of transforming the referendum on self-determination into a plebiscite so as to permit an electoral body comprised of Moroccan citizens to confirm that Western Sahara was part of Morocco.

20. The Houston agreements provided for the organization of a referendum in late 1998. Morocco's demand for a revision of the agreements had halted the progress being made by the United Nations Mission for the Referendum in Western Sahara (MINURSO) to finalize the identification of potential voters, leading to a new impasse in the implementation of the settlement plan.

21. The package deal proposed by the Secretary-General of the United Nations took into consideration the Moroccan demands while reaffirming the rigour and transparency of the entire voter identification process. The Frente POLISARIO, again showing flexibility and cooperation, had accepted the proposals, but Morocco had demanded changes, while at the same time obstructing the signing of the status of forces agreement and the conduct of demining operations. It was clear from the report of the Secretary-General (S/1999/875) that Morocco was not satisfied and had made numerous complaints and accusations against MINURSO.

22. Under the Houston agreements and the protocols, MINURSO had resumed the identification process; however, Morocco's decision to submit some 74,000 appeals for review was intended to make the process interminable, even though the Security Council, in resolution 1238 (1999), had reaffirmed the rights of the applicants, with an expectation that the appeals process would not be turned into a second

round of identification. If the Security Council and MINURSO did not oppose the strategy of delay in an effective and timely manner, the referendum risked being postponed beyond the year 2000. That would mean an unjustifiable drain on the financial resources of the Organization, and on its capacity to deal with what was clearly a deliberate action.

23. One of the most decisive factors for the credibility of the referendum was the degree of security and freedom of voters. Since the beginning of the occupation of Western Sahara, Morocco had been waging a fierce campaign of repression against the Saharan people, as various governmental and non-governmental organizations, ranging from the United States State Department to Amnesty International, had attested. Repression was taking place with absolute impunity, since the Territory was closed to independent observers. The repression had reached its peak in September 1999 when, in occupied Laayoune, units of the special police forces, accompanied by militias of Moroccan colonists, had spread terror among the Saharan population. The parallel with the events in East Timor was evident. Terror, assaults and looting had taken place despite the fact that the United Nations had a mission whose headquarters were located in Laayoune itself.

24. The United Nations must act with determination to oppose the Moroccan strategy of either securing a fraudulent composition of the electorate or extending the deadlines indefinitely. The experience of East Timor demonstrated that the United Nations could and should conclude its decolonization agenda, and that the international community should put in place, in a timely manner, efficient mechanisms to protect the people who were the subjects of a referendum on self-determination, both before and after the vote, and to ensure that the results were respected.

25. The prolongation of the Moroccan occupation was unjustified; it ran counter to the supreme interest of regional and international peace and was incompatible with Morocco's professions of faith in democracy. Morocco must accept the verdict of the Saharan people in a just and free referendum. The Saharan people were a historical, political and diplomatic reality, and were prepared to be a stable and reliable partner, open to fruitful cooperation with all nations of the world and first of all with their neighbours.

26. *Mr. Boukhari withdrew.*

27. *At the invitation of the Chairman, Mr. Orfila (Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (FEDISSAH)) took a place at the petitioners' table.*

28. **Mr. Orfila** (Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (FEDISSAH)) said that his organization's desire to address the Committee on the question of Western Sahara reflected the mounting support of the municipalities and people of Spain for the Saharan people's struggle for justice and self-determination. However, they were aware that their actions, regardless of how positive the results might be, could not in themselves ensure that the Saharan people would be able to choose freely between independence or becoming a part of the Kingdom of Morocco.

29. The delay in carrying out the referendum scheduled for 1992 had dashed the hopes for peaceful dialogue raised by the Security Council's approval of the peace plan in 1991, and threatened to provoke a return to armed conflict. While the subsequent appointment of Mr. James Baker as special representative of the Secretary-General had opened new possibilities for resolution of the problem, the numerous delays in the implementation of the peace plan, and the obstacles repeatedly thrown up by the occupying Power with the intent of paralysing the process had smothered the expectations surrounding the Houston accords.

30. Numerous problems had arisen regarding the identification of voters qualified to take part in the referendum; as a result, the referendum, currently proposed for 31 July 2000, would have to be postponed yet again. Likewise, a satisfactory resolution had yet to be found for the question of the Saharans detained or missing, some for more than 16 years, in the zone occupied by Morocco. Only international pressure could end the situation, and he urged the United Nations to assume the fundamental role it must play in that regard.

31. The peaceful resolution of the Saharan question depended on the implementation of the Houston accords and on respect for the settlement plan, which would allow the referendum to be held under fully democratic conditions. It was essential that freedom of movement should be guaranteed for all Saharans throughout the territory of Western Sahara and that the entire referendum process should be transparent. As the recent events in East Timor had clearly shown, it was also incumbent on the United Nations to guarantee the presence of international observers and representatives of the communications media so as to ensure such transparency.

32. In order to uphold the principle that only the Saharans themselves should decide their future, scrupulous adherence to the voter identification criteria must be maintained at all costs in the referendum. The enormous number of appeals had raised the possibility of a desire to modify the

established criteria, and the United Nations would have to be able to convince the Saharan people and the international community of the genuineness of the census if the referendum were to have any claim to legitimacy. The United Nations had a vital role to play in ensuring that in making their choice, whatever that choice might be, the Saharans would be free of the threats and pressure that had characterized the recent referendum process in the former Portuguese colony of East Timor.

33. He therefore respectfully urged that the peace process should be allowed to continue without further delay, and that the absolute transparency of that process should be guaranteed by means of the presence of international observers and the communication media; moreover, ways must be found to finally resolve the matter of the Saharan disappeared, so that all Saharans, without exception, would be able to enter into a new age of freedom.

34. *Mr. Orfila withdrew.*

35. *At the invitation of the Chairman, Mr. Briones (International Association of Jurists for Western Sahara (IAJUWS)) took a place at the petitioners' table.*

36. **Mr. Briones** (International Association of Jurists for Western Sahara (IAJUWS)) said that the approximately 80,000 appeals against the voter lists for the referendum in Western Sahara would have the effect of making a second round of voter identification unavoidable. The right of appeal could not be allowed to override and paralyse, once again, the structure and development of the peace process; the identification commission of the United Nations Mission for the Referendum in Western Sahara (MINURSO) should resolve those appeals as a group.

37. Prior to the commencement of the transition period, it would be necessary to answer a number of difficult questions with regard to the identification phase: for example, how great an increase over the results of the 1974 census would be observed, and why a demographic census should be transformed into a supposedly ethnic census, given the lack of proof of Saharan origin of thousands of candidates proposed by the Moroccan authorities. All native Saharans would aspire to an independent Sahara that legitimized the historical status of the territory. The "manufacture" of Saharans for the purpose of tipping the results of the referendum towards integration with Morocco was an artificial innovation that had started after the military invasion of 1975.

38. A number of major events would also have to take place during the transition period in order to make possible a free, transparent and democratic referendum: the territory must be opened up, troops withdrawn, Saharan political prisoners released by the Moroccans and prisoners of war exchanged between the two sides, a final voter list published, the administration of the territory handed over to MINURSO, Moroccan laws that could obstruct a just referendum suspended in the territory, Moroccan paramilitary forces neutralized, and the more than 150,000 Saharan refugees repatriated.

39. While conditions had never been more favourable for peace in the region, MINURSO could be trapped by its own net of self-sufficiency. Would it be able to guarantee the true neutralization of the Moroccan paramilitary forces and to convert a police force that had been violating the basic human rights of people it had considered its subjects for 24 years into one for citizens who must freely decide on the future of their country? Would MINURSO be able to manage the transition from Moroccan authority to one based in the enormous infrastructure that Western Sahara would become as a result of the imminent referendum? Could it guarantee freedom of movement for all throughout the territory? And could the many actions taken by Morocco against the Saharan people be fairly overlooked, just because it had signed the Houston accords?

40. The international community must signal its neutrality by its acceptance of a democratic referendum, whatever the result. In that neutrality, it must not ignore what had occurred up to the present, but must continue to support MINURSO and enable it to assume full authority in accordance with the agreements. Thousands of Saharans in the occupied areas were enduring systematic repression, torture, forced disappearances and threats, while thousands of refugees returning to the freed zones had to pass through zones sown with 5 to 10 million anti-personnel landmines since 1975.

41. The Houston accords represented the commitment of their signers to creating a climate of peace and normalcy as the only means of assuring the freedom of the Saharan voters to express their will; moreover, the accords provided for free access to the territory and freedom of movement within it. Those privileges were to apply generally, not just to the voters in the referendum, or else the territory would be turned into a ghetto in which the Saharans' freedom to vote as well as their psychological attitude towards the referendum would be severely affected.

42. A tragic constant in the succession of States appeared to be taking shape, in which it was advantageous to the invader to exacerbate tensions within the non-autonomous territory it had invaded, thereby allowing it to obtain amnesty, following eventual independence, for crimes it had

committed during the occupation, maintain the presence and property rights of its colonists, and retain a share of political power in the new State while ensuring the friendliness of the new State toward the former invader.

43. The United Nations faced a unique opportunity in Western Sahara. Achieving the self-determination of the Saharan people would be an endorsement of the Organization's prestige as an actor in processes of greater depth and intensity and in establishing legal precedents.

44. **Mr. Snoussi** (Morocco) said that the petitioner, in his discussion of the "right of appeal" of candidates for the voter lists, had implied that any candidate rejected by the commission would have no right of appeal. Such rights of appeal had long been accepted and recognized by courts and other organizations, and he saw no reason why new ideas should be imposed on the Special Committee on Decolonization in that respect. He also expressed astonishment at the number of appeals cited by the petitioner, as that figure had not been previously made public. He noted that MINURSO officials and diplomats circulated completely freely in the so-called "closed territories", and he was unaware of any restrictions being put on their movements in any territory governed by Morocco. The petitioner also appeared to have completely ignored the fact that the settlement plan, while unfortunately not always fully implemented, nonetheless laid out a clear procedure for the preparation, implementation and follow-up of the referendum.

45. *Mr. Briones withdrew.*

46. *At the invitation of the Chairman, Mr. Lecoq (Mayor of Gonfreville-l'Orcher (France)) took a place at the petitioners' table.*

47. **Mr. Lecoq** (Mayor of Gonfreville-l'Orcher (France)) said that the resumption of efforts to identify Saharans qualified to vote in the referendum, combined with the visit of the Secretary-General to the Tindouf refugee camps in November 1998, represented a genuine hope for the many French associations, elected officials and private citizens concerned about the situation of Western Sahara and the United Nations peace plan. The Identification Commission had conducted its operations with independence and impartiality, despite a campaign of delaying tactics by the Moroccan side and virulent attacks on MINURSO by the Moroccan press and authorities. The nomination of a new Prime Minister and recent changes among the officials responsible for relations with MINURSO and for security did not appear to have brought about significant changes in the attitude of the Moroccan Government towards the question of Western Sahara.

48. **Mr. Snoussi** (Morocco), speaking on a point of order, said that the Special Committee on Decolonization was not a tribunal in which petitioners could criticize States. With all due respect to the petitioner, he did not concede to the petitioner the right to speak of his country in that manner.

49. **The Chairman** requested the petitioner to proceed, bearing in mind the objection just expressed by the representative of Morocco.

50. **Mr. Lecoq** (Mayor of Gonfreville-l'Orcher (France)) said that the unexpectedly large number of appeals of voter identifications lodged by the Moroccan side were a source of particular concern, and ran the risk of derailing the process of establishment of voter lists called for in the Houston accords. Those appeals had flooded the identification section and were intended to delay the work of the commission and thereby delay the holding of the referendum on self-determination for Western Sahara. Once again the Moroccan side was putting the settlement plan and, unless the United Nations and the international community maintained a firm approach, the peace of the region as well, at risk.

51. Alarming reports of police and civilian actions against Saharans in Laayoune had emerged during September 1998. MINURSO could not remain indifferent to such occurrences or to the serious violations of human rights being committed by the Moroccan authorities against the Saharan citizens of Laayoune. The time had come to implement the settlement plan and to bring Western Sahara under the sole authority of the United Nations.

52. *Mr. Lecoq withdrew.*

Question of New Caledonia

53. *At the invitation of the Chairman, Mr. Wamytan (Front de Libération National Kanak Socialiste (FLNKS)) took a place at the petitioners' table.*

54. **Mr. Wamytan** (Front de Libération National Kanak Socialiste) said that 1998 had marked a turning point in the political and institutional history of New Caledonia, with the signing on 5 May of the Noumea Accords between the Front de Libération National Kanak Socialiste (FLNKS), the Rassemblement pour la Calédonie dans la République (RPCR) and the Government of France. The French National Assembly and Senate had also voted overwhelmingly to amend the 1958 Constitution to include key elements of the Accords. Moreover, more than 72 per cent of the population of New Caledonia had voted in favour of committing the Territory to a gradual process of emancipation that would extend over 15 years. By their vote, the Kanaks together with other immigrant communities had demonstrated their desire

to turn the page of colonization and to build and share in a common destiny.

55. Since the referendum, new institutions had been established, including provincial assemblies, a congress, a government and a senate of customary leaders. An economic and social council was also to be created shortly. In the area of foreign relations, New Caledonia had just been granted observer status in the South Pacific Forum, following a long struggle spearheaded by FLNKS.

56. Unfortunately, the optimism of the people of New Caledonia had begun to fade following the elaboration of the Territory's organizational law. Indeed, FLNKS had had great difficulty in ensuring that RPCR and France respected the spirit and letter of the Noumea Accords, particularly with regard to the principle of restricting the electoral list for the provincial elections due to be held in 2004, 2009 and 2014. The French Constitutional Council had misinterpreted the Accords by extending the right to vote to anyone settling in New Caledonia after November 1998, on condition that they had been living there for 10 years. In view of the adverse impact of the Territory's settlement policy on Kanak nationalist claims during the preceding decades, numerous approaches had been made to the French Government, resulting in a new draft constitutional amendment on the subject that was to be submitted to the French National Assembly in early 2000. In addition, motivated by partisan interests and against the declared wishes of the people, RPCR had rejected some of the key provisions of the Noumea Accords. It had also concluded a separate agreement with a dissident faction of FLNKS for the implementation of their own version of the Noumea Accords. FLNKS had nevertheless remained in the Government in the hopes of convincing RPCR to respect both the spirit and the letter of the Noumea Accords.

57. Those political developments had had adverse consequences for the country, including a return to the "wait and see" attitude which had prevailed prior to the negotiations. Even more serious were the questions raised by the Kanak people about the slow-down in the process of decolonization and emancipation which had begun with the signing of the Accords and the danger which the political developments posed to peace and harmony between the communities. As the colonial Power, France should do everything in its power to ensure the faithful implementation of the Accords. It should also keep the United Nations informed about the situation in the Territory under its administration. In that connection, he wished to thank the French authorities for authorizing the visit to New Caledonia by a United Nations mission. The Territory should remain on the list of Non-Self-Governing Territories and, should the Committee of 24 be disbanded at the end of the International Decade for the Eradication of Colonialism, New Caledonia should be granted a special status within the United Nations so that the voice of its people could continue to be heard.

58. *Mr. Wamytan withdrew.*

Question of East Timor

59. *At the invitation of the Chairman, Mr. Saunders (Human Rights Watch and Amnesty International) took a place at the petitioners' table.*

60. **Mr. Saunders** (Human Rights Watch and Amnesty International) said that the challenges facing East Timor were monumental. Virtually the entire population had been uprooted, and those who had not been forcibly expelled to West Timor would need basic humanitarian assistance until they could rebuild their homes and return to work. East Timorese, working with the United Nations, would need to take over many of the key administrative and professional positions previously held by Indonesians prior to the 30 August referendum. Courts and a law enforcement system also needed to be rebuilt in order to lay the foundation for the rule of law in East Timor. Also essential were a secure border with Indonesia and a population that was secure in the knowledge that the campaign of terror that had been waged for so long by the Indonesian army and armed militias had finally come to an end.

61. Significant obstacles remained. The first danger was the likelihood of an effort on the part of the militias to partition East Timor by declaring at least six western districts a pro-integration zone controlled by the militias. Key pro-integration figures had made it clear that they intended to mount a campaign for partition and would be sending militia forces in from West Timor to do so. The militia leader João Tavares had announced a plan to relocate in the six districts all of the pro-integration forces of West Timor. If allowed to take place, such a de facto partitioning could have serious consequences for the political stability of an independent East Timor. Another complicating factor was that many East Timorese might have claimed links to pro-integration organizations as a way of ensuring their safety. Given the complicity between some local government officials in West Timor and the militia leaders, who had free run of the refugee camps, all refugees should be protected from having to register with any Indonesian agency. The return of the East Timorese must be supervised by the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international humanitarian agencies to ensure that they were not subjected to intimidation by the militias in the camps. Upon the return of the refugees, the humanitarian agencies together with the Multinational Force

in East Timor (Interfet) and the United Nations Mission in East Timor (UNAMET), should take responsibility for their safety.

62. There was no reason to believe that the role of the Indonesian army in East Timor would end if and when the People's Consultative Assembly in Jakarta endorsed the results of the 30 August referendum and East Timor began the transition to independence. In fact, the regional military command, which had been based in Dili, was planning to move to Ende, on the island of Flores. Since there was no reason for the establishment of an army post at Ende, there was concern that, like West Timor, Ende could become a centre of pro-integration military activity.

63. Concerning the need for full accountability, Human Rights Watch and Amnesty International welcomed the decision of the United Nations Commission on Human Rights to establish an international commission of inquiry into alleged violations of humanitarian law in East Timor. It was critical that those responsible for the wreckage of East Timorese lives and land should be brought to justice. He hoped that the Commission would receive the full support of all Member States, and urged all of them, including Indonesia, to cooperate fully with the inquiry, even though the Government of Indonesia had publicly rejected cooperation thus far. Determining the truth about the crimes committed in the context of the consultation process was an essential step towards peace and reconciliation in East Timor.

64. *Mr. Saunders withdrew.*

65. *At the invitation of the Chairman, Mr. Nashidik (Indonesian Association for Legal Aid and Human Rights) took a place at the petitioners' table.*

66. **Mr. Nashidik** (Indonesian Association for Legal Aid and Human Rights) said that the violation of their human rights for over 24 years was a major factor in the rejection of Indonesia by the East Timorese. The vote in favour of independence had been overwhelming, despite the attempts by the Indonesian military and its militia proxies to frustrate the exercise of a fundamental human right and to predetermine its outcome by force. It should be noted also that the Indonesian military had defied their own President and the international community. The military's systematic use of terror was a slap in the face of the United Nations, its principles and processes and its principal organs, including the Secretary-General and the Security Council.

67. Dili and other towns had been destroyed and even those East Timorese who had fled to West Timor or were already residing in other parts of Indonesia had been subjected to intimidation by the army and the militias. The Committee should take all necessary measures to protect all East Timorese from danger. His organization was particularly concerned at the fate of the some 200,000 East Timorese who had been displaced to West Timor, many of whom faced the imminent prospect of permanent relocation to other parts of Indonesia.

68. The festival of torture perpetrated by the Indonesian armed forces in East Timor should be seen as a display of terror for the purpose of creating fear in the Indonesian people, especially those of Aceh and West Papua, and dissuading them from aspiring to the right to self-determination. East Timor, however, had never legally been a part of Indonesia, although during the previous 20 years the fate of the two peoples had been united by the same history of the Indonesian army's atrocities.

69. The independence of the East Timorese people meant primarily that they had been liberated from those atrocities. All efforts by the Indonesian armed forces to cancel the independence of East Timor must therefore be noted by the United Nations and the international community. Such attempts were an ideological manifestation of a well-trained military organization doing its best to maintain its domination of Indonesian society. There was no guarantee that all covert army operations in East Timor would be terminated, even after the People's Consultative Assembly of Indonesia ratified the results of the referendum. Indeed, plans to move the military command from Dili to Ende, on the island of Flores, should be taken very seriously, since Ende could become another command centre for the pro-Jakarta militias, who had already pledged to divide East Timor into two territories. The international peacekeeping forces should therefore be given a clear mandate to protect the security of the East Timorese people.

70. He welcomed the establishment of an international commission of inquiry to compile reports of crimes against humanity committed by the pro-Indonesian militias in collaboration with the Indonesian military and police. The commission should secure the establishment of an ad hoc international tribunal on East Timor, as a logical consequence of Security Council resolution 1264 (1999). Failure to bring the perpetrators to justice would continuously feed the victims' sentiments of disappointment and suffering, and reconciliation among the East Timorese people and between them and Indonesia would never be achieved.

71. *Mr. Nashidik withdrew.*

72. *At the invitation of the Chairman, Mr. Scheiner (International Federation for East Timor) took a place at the petitioners' table.*

73. **Mr. Scheiner** (International Federation for East Timor) said that the International Federation for East Timor (IFET) had organized the largest international observer mission for the East Timor consultation. It had planned to stay in East Timor to observe and assist during the transition period, but the rapidly escalating violence had forced the evacuation of the last 60 of its volunteers. IFET was grateful for the attention which the United Nations had paid to East Timor in 1999 and welcomed the Secretary-General's proposals for a United Nations transitional authority in East Timor.

74. IFET continued to be troubled, however, by a number of developments, most of which stemmed from three fundamental errors by the United Nations. First, the Organization had failed to listen to the East Timorese people, whose knowledge and observations, if heeded, would have averted the current disaster. Second, it had given the Indonesian Government legal power over every step of the process, even down to the details of humanitarian aid and repatriation. Lastly, it had accepted the Indonesian military and police as legitimate in East Timor and a neutral force for peace and security.

75. The massive bloodshed and displacement that had been inflicted since the vote had been expected and avoidable. From the very beginning, IFET had voiced concern to the United Nations at the threat of a bloodbath instigated by the military and the militias if the East Timorese voted in favour of independence. It had recommended that the international community should work diligently through the United Nations to broaden the mandate of UNAMET as it related to security and to increase the number of United Nations security personnel in East Timor significantly prior to the 30 August vote. Within three days of the announcement of the results of the referendum, virtually all international personnel, including the observers of IFET, had fled the territory, leaving the East Timorese people to be massacred, driven into the mountains or kidnapped and held hostage in Indonesia.

76. Throughout its time in East Timor IFET had observed crimes by the militia, police and Indonesian military, and it was clear that the terror which they had inflicted on the civilian population had been the intentional result of a coordinated campaign. His organization was eager to share its evidence with any international agency investigating or prosecuting the crimes against humanity committed in East Timor.

77. Currently, the majority of East Timorese were hiding in the mountains, in flight from areas still under Indonesian control. Meanwhile, diplomats spoke of sovereignty and cooperation and made excuses for Indonesia's military and civilian leadership. Major-General Cosgrove wished to disarm the Fuerzas Armadas de Liberaçao Nacional de Timor Leste (FALINTIL), while allowing the Indonesian armed forces to keep their weapons. FALINTIL and the Conselho Nacional da Resistencia Timorense (CNRT) had shown tremendous restraint, declining military engagement and trusting, perhaps naively, in the United Nations. IFET supported efforts to investigate crimes against humanity committed in East Timor and Indonesia and to hold accountable those who were directly responsible.

78. While justice was important, however, it was even more urgent to prevent further crimes. IFET therefore wished to make the following recommendations to the Committee and the international community. The United Nations should immediately assume responsibility for security and government in all of East Timor, which must remain undivided. All Indonesian troops and police should be withdrawn without delay. The United Nations should respect the mandate of the East Timorese and use their human resources, including FALINTIL, not only because that would be democratic but also in order to avoid repeating the disastrous misjudgments which it had made over the previous six months. The hundreds of thousands of East Timorese who had been kidnapped and taken to Indonesia must be given immediate international humanitarian and human rights assistance. Appropriate United Nations agencies should assume responsibility for their care and return to East Timor, and journalists, aid workers and others must have unrestricted access to all camps. All Indonesian military and police personnel in East Timor should disarm and leave. Militia leaders and soldiers, many of whom were army personnel in other uniforms, should pull back to Indonesia with the rest of the military, and those who remained in East Timor should be apprehended and held by Interfet. The full force of the United Nations machinery for investigation and prosecution should be mustered against those responsible for crimes against the people of East Timor. Those at the top of the chain of command must not escape with impunity. Lastly, members of the international community, especially the members of the Security Council, should be held responsible for ignoring warnings that the Indonesian military planned massive atrocities if voters opted for independence.

79. *Mr. Scheiner withdrew.*

80. *At the invitation of the Chairman, Mr. Guterres (Conselho Nacional da Resistencia Timorense) took a place at the petitioners' table.*

81. **Mr. Guterres** (Conselho Nacional da Resistencia Timorense) said that, despite the terror launched against the people of East Timor by the Indonesian armed forces disguised as Timorese militants, more than 90 per cent of registered voters had voted in the referendum of 30 August. The overwhelming vote for independence had given the Conselho Nacional da Resistencia Timorense (CNRT), which was an umbrella organization committed to democratic values and principles, legitimacy to deal with the United Nations and the international community in order to fill the vacuum in the administration and to rebuild East Timor following the destruction wrought by the Indonesian army. CNRT appealed to the international community to increase its emergency aid to all East Timorese and to return to their ancestral land all those who were in Indonesian concentration camps in West Timor and other islands. The dichotomy of pro-autonomy or pro-independence Timorese was a thing of the past and what was now needed was to construct together a free, democratic and pluralistic country. CNRT appealed to those Timorese who had participated in crimes against their own people to cooperate fully with the United Nations commission of inquiry.

82. The acts of barbarism and vandalism committed by the Indonesian armed forces had destroyed not only human lives and buildings in East Timor but also the image of Indonesia and the honour of its people. The Indonesian armed forces should therefore cease their crimes in East Timor and cooperate with the commission of inquiry. For his part, the President of CNRT, Mr. Xanana Gusmão, was prepared to meet with the multinational force commanders to decide on future cooperation. As an independent country, East Timor would join regional organizations and reinforce its historic and cultural links with the Portuguese-speaking countries. CNRT was encouraged by the commitment of various countries and institutions, and of Portugal in particular, to help in the rebuilding of East Timor. It was very conscious of the need to establish a new relationship with Indonesia and its other neighbours. Finally, it was determined to build for future generations a better future based on democracy, sustainable development and human rights.

83. *Mr. Guterres withdrew.*

84. *At the invitation of the Chairman, Mr. Senna (Providence Journal Bulletin) took a place at the petitioners' table.*

85. **Mr. Senna** (Providence Journal Bulletin), speaking on his own behalf, welcomed the Indonesian Government's agreement to authorize the repatriation of the East Timorese refugees who had fled to West Timor, which seemed to contradict the allegation that they had been forcibly deported by that same Government. In that connection, political grandstanding from international supporters and partisans of the East Timorese independence movement should be set aside in favour of providing swift emergency assistance to the refugees. In the light of the new responsibilities arising out of the August referendum, the main burden of providing administrative relief and security now fell on the multinational force in East Timor and the United Nations, which should work with the Indonesian Government in assisting the East Timorese people.

86. Death toll figures cited by the Associated Press supported his belief that the early reports of massacres committed by the militia in conjunction with the Indonesian army were either greatly exaggerated or false. Similarly, all the claims of human rights violations and war crimes currently being investigated should be treated as allegations until verified. In view of the regional tensions existing between Indonesia and Australia, the creation of a United Nations transitional administration and peacekeeping force in East Timor would be the best means of advancing the transition of East Timor province to an independent State, which should preferably be accomplished within a matter of weeks with a view to avoiding further incidents between Australian troops and the militia.

87. Indonesia was no more responsible for the outcome of the referendum than Portugal, the former colonial Power which had abandoned the province 10 years earlier, leaving behind none of the economic infrastructure subsequently established by Indonesia. It was now time, however, to leave recriminations behind and work together to finalize the process of independence for the province of East Timor as it took its place among the world's sovereign nations.

88. *Mr. Senna withdrew.*

89. **Mr. Thayeb** (Indonesia) noted with concern that the negative approach adopted by certain petitioners with a view to promoting narrow self-serving agendas was not conducive to the implementation of the Agreements reached on 5 May 1999 between the Governments of Indonesia and Portugal and the United Nations. His Government's concrete actions reflected its sincere desire to part ways with East Timor in an honourable, peaceful, safe and orderly manner in accordance with the outcome of the popular consultation, to which it would not have agreed if it had not been willing to listen to the East Timorese people. Nor would it have invited the international community to assist in restoring conditions of normalcy if it had no intention of honouring the results

of that consultation. It therefore continued to cooperate fully with the United Nations while awaiting implementation of the next phase of the Agreements.

90. He wished to share with delegations the information that a member of the International Federation for East Timor, which was represented by one of the petitioners, had been arrested in Irian Jaya for engaging in illegal political activities, thus abusing the visa which he had been granted in good faith to enable him to carry out duties in connection with the popular consultation. It was therefore his view that the Committee should exercise caution in allowing politically motivated organizations to use its forum for purposes of extraneous activities directed against a State Member of the United Nations.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*) (A/54/23 (Part II), chaps. VI, IX-XI, A/54/23 (Part III), chap. XIII (D-F, H), A/AC.109/1999/1, A/AC.109/1999/3-9, A/AC.109/1999/11, A/AC.109/1999/13-18)

Agenda item 92: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/54/23 (Part II), chap. VIII, A/54/23 (Part III), chap. XIII (A), A/54/343

Agenda item 93: Economic and other activities which affect the interests of the peoples of Non-Self-Governing Territories (*continued*) (A/54/23 (Part II), chap. V, A/54/23 (Part III), chap. XIII (B))

Agenda item 94: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (A/54/3, chap. VII, sect. D, A/54/23 (Part II), chap. VII, A/54/23 (Part III), chap. XIII (C), A/54/119, E/1999/69)

Agenda item 12: Report of the Economic and Social Council (*continued*) (A/54/3, chap. VII, sect. D)

Agenda item 95: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/54/267)

91. **Ms. Smith** (United Kingdom) said that over the past year, her Government had made further progress in its efforts to transform its relationship with its overseas Territories into a fully modern partnership, based on four fundamental principles: self-determination; mutual obligations; freedom for the Territories to run their affairs to the greatest degree possible; and a firm commitment from the United Kingdom to help the Territories economically and to assist them in emergencies.

92. Among the measures being taken was the decision to offer British citizenship and the right of abode to those people of the overseas Territories who did not already enjoy it, thus meeting a long-standing request of the peoples of the Territories. Additional steps had been taken to encourage good governance in the Territories, through improved regulation of financial services to meet internationally acceptable standards. Enhanced measures were also being studied to combat drug trafficking, and to encourage reform of local legislation in some Territories to comply with the same standards of human rights as the United Kingdom. The United Kingdom would also continue to support strengthened measures and devote greater resources for sustainable economic development and environmental management and protection in the overseas Territories.

93. Those efforts clearly demonstrated her Government's continuing firm commitment to a new and strengthened relationship with the Territories, and its serious view of its responsibilities under the Charter of the United Nations. For the United Kingdom, the wishes of the peoples concerned, exercised in accordance with the other principles and rights set out in the Charter of the United Nations and in other international treaties, were of paramount importance. The United Kingdom had always affirmed that it was prepared to consider any proposals about their future put forward by the peoples of the Territories themselves. Self-determination thus remained one of the fundamental principles which guided her Government's relationship with the Territories. Her Government therefore found it regrettable that the Special Committee on Decolonization continued to apply that principle selectively.

94. The United Kingdom warmly welcomed the Special Committee's decision to undertake a critical review of its programme of work and methods, and in particular its steps to reopen a process of informal consultations with the administering Powers, and the initiative to consider ways of ascertaining the wishes of the peoples of the Non-Self-Governing Territories, which could ultimately lead to the removal of the Territories from the Committee's list.

95. Her delegation was confident that, as the Committee explored more directly the position in the United Kingdom's Non-Self-Governing Territories and the views of their peoples, it would become clear that "colonial" status was no longer an accurate description of their situation; it hoped that, as that process developed, the remaining

misconceptions, anachronisms and blind spots in the resolutions on decolonization would also disappear.

96. **Mr. Ortique** (United States of America) said that, although important work remained to be done in the field of decolonization, much had already been accomplished; since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, over 60 former colonial territories had exercised self-determination and joined the United Nations as sovereign members. While continuing to believe that the standards applied in General Assembly resolutions 1514 (XV) and 1541 (XV) were too narrow, his country offered its full support to countries which chose independence. Equally, it supported the right of people in Non-Self-Governing Territories to a full measure of self-government, if that was what they chose. Reaffirming his respect for the rights of self-determination, he called on the Committee members to respect similarly the choices made by the residents of Non-Self-Governing Territories, and stressed that no single standard of decolonization applied to every Territory.

97. At the close of the International Decade for the Eradication of Colonialism, tremendous political, economic and social progress had occurred and was still occurring in the lives of the residents of the Non-Self-Governing Territories; his country accordingly questioned the applicability of the term "non-self-governing" to those in a position to take steps such as establishing their own constitution, electing public officers and choosing their own economic path. It applauded the recognition of different paths to development and hoped that Committee members would join it in recognizing that the presence of outside economic and military interests in Non-Self-Governing Territories, far from being detrimental to the interests of those Territories or their peoples, formed the basis of partnership between a region and the outside world. In that connection, each case should be considered on its own merit. Lastly, he shared the sentiments expressed by the representatives of China and the United Kingdom concerning the efforts of the Chairman of the Special Committee on Decolonization to revitalize the Committee's work with the administering Powers, which boded well for achieving the goal of eradicating colonialism.

98. **Mr. Haque** (Pakistan) said that the principles contained in the Declaration on the Granting of Independence to Colonial Countries and Peoples continued to be sacrosanct and must be upheld with a view to eliminating the menace of colonialism, illegal occupation and the subjugation of people. The increase in the membership of the United Nations from 51 to 188 indicated the success of the struggles waged for the right to self-determination and independence.

99. He hoped that the successful conclusion of the popular consultation process in East Timor would serve as an example for resolving similar problems in other areas where people were under occupation. He also hoped that the revised schedule which had been proposed for conducting a referendum in Western Sahara would enable the people to express their wishes about their future and that the commitment of the French and New Zealand Governments to respect the wishes of the people of New Caledonia and Tokelau respectively, as freely expressed, would lead to the establishment of self-rule in those Territories. Progress in the remaining 13 Non-Self-Governing Territories, however, had been agonizingly slow. The international community should therefore intensify its efforts to eradicate colonialism and foreign occupation. He did not accept the claim made by some administering Powers that the peoples in the Territories did not wish to sever ties with them. As a first step to ensuring that such peoples were able to exercise freely their right to self-determination, the administering Powers should, without preconditions, cooperate fully with the United Nations by receiving visiting missions in the Territories to obtain information about the prevailing conditions, cooperate with the Decolonization Committee to facilitate the decolonization process, foster awareness of the right of self-determination in the Territories, abandon all military activities in the Territories, and strengthen economic conditions there by diversifying their economies and allowing greater participation of the people.

100. It was deeply regrettable that the right of self-determination continued to be denied to the Kashmiri people, who had been under Indian occupation for over 50 years. Kashmir was kept under subjugation by over 650,000 Indian troops, rape was used as a strategy of war, and custodial deaths, arbitrary arrests, summary executions and disappearances were routine occurrences. The situation was similar to that in East Timor, and the international community should respond differently to it. The decolonization process would be incomplete unless the inalienable right of all peoples under colonial rule and foreign occupation was recognized, and the international community should continue to make consistent and determined efforts, without distinction, to rid the world of all forms of those scourges.

101. **Ms. Chua** (Singapore) commended the enormous contributions made by the United Nations in encouraging the aspirations of dependent peoples and setting goals and standards to accelerate their attainment of independence. It was, however, a matter for concern and disappointment that

the Plan of Action for the International Decade for the Eradication of Colonialism would not be concluded by the year 2000, as planned. In her delegation's view, the inability to meet the deadline was due to the complexities involved in the decolonization process, rather than to any lack of will to end colonialism. It was therefore important to retain sight of the ultimate goal of a world free of colonialism, in which connection she hoped that the Special Committee would continue its undaunted commitment to work closely with the administering Powers to end the last vestiges of the colonial era.

102. She reiterated the view of the Association of South-East Asian Nations (ASEAN) that the decolonization process was a multifaceted one, involving political measures as well as social and economic development efforts. She therefore welcomed the Special Committee's recommendation that due attention should be given to the specific problems of small island Territories, whose economies were rendered particularly vulnerable by various economic, environmental and geographic factors. As a small island State, Singapore believed that human resource development was vital for economic and social progress, and its turn had now come to provide other developing countries, including the Non-Self-Governing Territories, with the kind of technical assistance which it had been fortunate to receive during its own early days of development. Such assistance was formulated under a special cooperation programme, in which numerous officials from the Territories had already participated, that formulated technical assistance activities to match the training needs of the recipient economies. She hoped that that programme would enable participants from the Territories to become catalysts for growth and effective agents for change in their countries with a view to achieving greater self-reliance in their development efforts. With that in mind, Singapore would continue to expand its technical assistance and further share the positive aspects of its own development experience with the Territories and other developing countries.

103. **Mr. Anbuge** (Iraq) said that, despite its many achievements, the decolonization process remained incomplete; given that 17 Territories were still not self-governing and their inhabitants had still not exercised their right of self-determination, the United Nations should multiply its efforts to achieve its goal of eradicating colonialism by the end of the year 2000. To that end, the Special Committee should be directly informed of the aspirations of the inhabitants of those Territories by means of visiting missions and seminars. Meanwhile, the administering Powers should further the social and economic development of the Territories, in addition to preserving their cultural character, taking environmental protection measures and addressing crime-related problems, while also complying with Article 73 *e* of the Charter of the United Nations.

104. Military bases and facilities established by colonial Powers in the Territories under their administration should be immediately destroyed, as they impeded the exercise by the peoples in those Territories of their right of self-determination. The Territories and their surrounding areas must not be used for nuclear testing, the burial of nuclear waste or the proliferation of weapons of mass destruction.

105. His delegation reaffirmed its support for the legitimate rights of Argentina concerning full sovereignty over the Falkland Islands (Malvinas) and fully rejected all attempts to move settlers onto colonized land. It also supported the aspirations of the peoples of Guam and Puerto Rico to realize the right to self-determination and independence.

106. Colonialism was now re-emerging under new guises; a minority of wealthy States were exercising control over developing countries, using a variety of methods to achieve their narrow political aims. The comprehensive sanctions against Iraq, aimed at imposing the political will of the United States, constituted a blatant example of such methods. An overall approach should therefore be adopted to combat and eradicate all forms of colonialism and build a world founded on the principles of justice, equality, the universal right to development and self-determination and the preservation of the cultural and intellectual identity of all peoples.

The meeting rose at 6.25 p.m.

United Nations A/C.4/54/SR.6

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 6th meeting
Held at Headquarters, New York, on Thursday, 7 October 1999, at 3 p.m.

Chairman: Mr. Kiwanuka (Vice-Chairman) ..... (Uganda)

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* Items which the Committee has decided to consider together.

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In the absence of Mr. Zackheos (Cyprus), Mr. Kiwanuka (Uganda), Vice-Chairman, took the Chair.

The meeting was called to order at 3.05 p.m.

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Agenda item 95: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/54/267, A/C.4/54/L.5)

1. **Ms. Cortes** (Spain) said that once again her delegation was calling for an end to the colonial situation in Gibraltar. The General Assembly had clearly indicated how the decolonization of Gibraltar should be carried out.

2. There was no single prescription for putting an end to colonialism, since the circumstances varied in each situation. In most cases, decolonization had been achieved through the exercise of the right of self-determination. However, that principle did not apply in all cases. Although Gibraltar was a colony of the United Kingdom, its inhabitants were not a colonized people, but were the descendants of the colonizing people and of people who had been brought in to work in the military base. It would therefore be unacceptable and contradictory to apply the principle of self-determination in order to perpetuate the colonial situation. That was the sense of General Assembly resolution 2353 (XXII), paragraph 2.

3. The international community, and consequently General Assembly resolutions, including resolutions 1514 (XV) and 2625 (XXV), had set certain limits on the application of the principle of self-determination, namely respect for the national unity and territorial integrity of States. That applied to colonies established in the territory and at the expense of other States. In such cases, decolonization was achieved by re-establishing the territorial integrity of the State in question. The full applicability of the principle of territorial integrity to the decolonization of Gibraltar was a clear and unequivocal doctrine of the United Nations, expressed in successive resolutions, including resolutions 2353 (XXII) and 2429 (XXIII).

4. A modernization or reform of the so-called "constitution" of Gibraltar promulgated by the United Kingdom in 1969 would only aggravate the problems. Spain would oppose any initiative which would impede the result envisaged in the Treaty of Utrecht. The transfer of responsibilities to the local authorities might nullify the sovereignty of the administering Power over the Rock, but not its sovereignty over the illegally occupied isthmus.

5. Under the Treaty of Utrecht, Spain had been forced to cede sovereignty of Gibraltar to the United Kingdom, but had always respected it by virtue of the principle *pacta sunt servanda*, even though the treaty violated Spain's national unity and territorial integrity. The validity of the Treaty was recognized by the United Kingdom and Spain, as well as by the United Nations. Thus, Gibraltar could be British or Spanish, but any other option was excluded.

6. Spain had deep respect for the rights of the people of Gibraltar. However, that did not make them a nation with sovereign rights. Sovereignty over the Territory of Gibraltar could be discussed by only the two sovereign States in dispute, the United Kingdom, as the colonial Power, and Spain, since the colony was situated in Spanish territory.

7. Gibraltar lacked natural resources and arable land. Its economy was based on its special fiscal situation within the European Union, making it a parasite which survived at the expense of Spain and to the detriment of the neighbouring Spanish territory. Gibraltar's economy could not rest on corrupt foundations. Gibraltar had to establish a sound and solid economy, in full accordance with the directives and regulations of the European Union.

8. Spain was participating in the Brussels process in good faith, and had submitted two proposals as starting points to

try to find a solution to the dispute over Gibraltar. Despite the goodwill of successive Spanish Governments, no progress had been made. There was only one course to follow: serious negotiations which would put an end to Gibraltar's colonial situation, since the maintenance of the status quo benefited no one. Spain continued to advocate that dialogue. The inhabitants of Gibraltar had nothing to fear. On many occasions the Spanish authorities had expressed their full intention to ensure due respect for the legitimate interests of the population of Gibraltar. Spain hoped that the United Kingdom would finally realize that, if it wanted its relations with Spain to reach their full potential, it could not continue its colonial presence in Gibraltar.

9. **Mr. Baeisa** (Republic of Yemen) said that as the new millennium approached, the spectre of colonialism had been nearly banished from the world, thanks in large measure to the United Nations. The eradication of colonialism and the right of self-determination were prominent features of the Charter, in recognition of the fact that respecting the right of peoples to choose their own destiny served to foster the advent of peace, justice and prosperity.

10. But while the old colonialism had been reduced to a few scattered pockets, new forms had arisen. Peoples were still denied the right of self-determination: the Palestinian people had been denied that right for over half a century.

11. Referring to the Committee's reports on, *inter alia*, Western Sahara and Gibraltar, he expressed the hope that all such issues would be resolved peacefully. Concerning East Timor, the Government of Indonesia was to be commended for its cooperation with the United Nations in organizing the recent referendum and in accepting the subsequent deployment of an international force to put an end to the violence and bring peace to the region.

12. Military bases and facilities in formerly colonized regions adversely affected not only the interests of the peoples of those regions but also those of neighbouring States. What small, poor, recently independent countries needed was assistance that would help them build up their infrastructure and develop.

13. Many formally independent countries were really in a state of dependence because of a growing burden of indebtedness, dwindling official development assistance, and the negative impact of globalization and market liberalization, all aggravated by the imposition of standard political, economic and social models that took no account of differences in identity, culture, degree of development and the like. The international community should help those countries accede to true independence by providing assistance at all levels.

14. **Mr. Aboul Gheit** (Egypt) remarked that it had been 39 years since the General Assembly's adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Much had been achieved in that time, but there were still 17 Territories that had not been able to exercise the right of self-determination, and it was for the United Nations to enable them to do so. At the same time, administering Powers should assume their responsibilities by cooperating with the Special Committee in that connection, so that, at the dawn of the new millennium, colonialism might be eradicated once and for all.

15. In the meantime, administering Powers should take a constructive attitude by providing the Committee with such information as it might require and facilitating the work of its missions. Moreover, administering Powers should recognize that peoples that had not yet been able to exercise the right of self-determination nevertheless had legal sovereignty over their natural resources.

16. Noteworthy progress had been achieved in relation to the question of Western Sahara. It was to be hoped that the contending parties would continue to cooperate with the United Nations, and that the referendum to determine the future of the area could soon be held. As for East Timor, while the violence that had followed the referendum had been appalling, the international community should not forget the courageous decision of President Habibie and the Indonesian Government to hold that referendum in the first place. The present period was one of transition. Whatever the final outcome, it should not be regarded as a victory for one side and a defeat for the other.

17. Egypt had been a founding member of the United Nations, and had been in the forefront of the struggle against colonialism. It intended to remain true to its tradition in that respect by continuing to devote its efforts to the attainment of the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

18. **Mr. El Riani** (Libyan Arab Jamahiriya) expressed support for peoples that had as yet been unable to exercise the right of self-determination. It was to be hoped that those peoples' territories would not be turned into grounds for the military activities of the occupying States.

19. The Special Committee could be proud of its efforts to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples. In that connection, the Caribbean Regional Seminar on small island non-self-governing territories held in Saint Lucia in May 1999 had made a number of useful recommendations aimed at poverty alleviation, economic growth, environmental

protection and natural resource management in such territories.

20. However, in some Territories the will of the international community was being deliberately flouted; efforts were being made to empty them of their original inhabitants and establish settlements with a view to altering their natural and demographic characteristics. The Special Committee should do everything in its power to put a stop to such unlawful efforts.

21. In sum, his delegation advocated the eradication of colonialism and affirmed the right of self-determination. Greater economic assistance, bilateral or multilateral, should be made available to Non-Self-Governing Territories and small island States, and their products should enjoy ready access to world markets. Their acquisition of technology should be facilitated, as should their development of their water resources, human resources and tourist potential. Nuclear States should desist from polluting the sea by the dumping of hazardous wastes. Foreign military bases should not be located in Non-Self-Governing Territories. The peoples of those Territories should be left free to choose the form of democracy they deemed suitable in terms of their cultural heritage and degree of development. The United Nations Development Programme and international investors should implement industrial and agricultural development projects in such Territories, so that their raw materials could be processed into manufactured goods locally. Lastly, no assistance should be made available for the purpose of establishing settlements in Non-Self-Governing Territories to the detriment of the interests of their original inhabitants.

22. **Mr. Fadaifard** (Islamic Republic of Iran) said that it was unfortunate that at the end of the International Decade for the Eradication of Colonialism, the decolonization process had not yet been concluded. Efforts should be redoubled to achieve the aim of a world free of colonial domination. The people of the remaining Non-Self-Governing Territories must be given the opportunity to exercise their right to choose their own future freely, as envisaged in the Charter.

23. His delegation supported the Special Committee's initiative to seek ways and means of facilitating constructive dialogue with the administering Powers in order to speed up decolonization. The international community should stress the need for the administering Powers to transmit information under Article 73 *e* of the Charter, foster awareness of the right of self-determination in Non-Self-Governing Territories, abandon all military activities in those Territories, participate actively in the work of the Special Committee, invite visiting missions to the Territories, and facilitate the participation of representatives of the Non-Self-Governing Territories in the work of the Committee. The General Assembly should attach the utmost importance to the visiting missions as a means of collecting first-hand information on conditions in the Non-Self-Governing Territories and on the wishes of the people concerning their future status.

24. The international community should renew its support for the aspirations of the people of the Non-Self-Governing Territories, and should formulate concrete proposals for measures that could be taken to enable them to exercise their right to self-determination.

25. **Mr. de Moura** (Brazil) said that his delegation fully subscribed to the statements made by Mexico, on behalf of the Rio Group, and Uruguay, on behalf of the Common Market of the Southern Cone (MERCOSUR). It reiterated the deep consternation of the Brazilian people about the violence and loss of life in East Timor. Brazil fully supported international efforts to ensure respect for the implementation of East Timor's right to self-determination, and was contributing to the United Nations Mission in East Timor (UNAMET). It fully supported the Secretary-General's proposal for a transitional administration and was ready to contribute, within its possibilities, to the success of that mission.

26. Brazil reiterated its commitment to the legitimate rights of the Argentine people in their sovereignty dispute over the Falkland Islands (Malvinas), and hoped that a solution would be found to the issue soon in accordance with the relevant resolutions of the United Nations and the Organization of American States.

27. **Mr. Tekaya** (Tunisia) said that as the International Decade for the Eradication of Colonialism drew to an end, there was a need to evaluate the achievements made and consider the remaining steps which needed to be taken. The Special Committee had an important role to play in that respect. Tunisia welcomed the dialogue between the Special Committee and the administering Powers, and hoped that it would be further enhanced so as to enable the Special Committee to carry out its mandate more fully. The contribution of representatives of the Non-Self-Governing Territories to the evaluation of the situation of those Territories remained essential.

28. There was a need to promote awareness among the peoples concerned of their rights and options so that they could make a free and informed choice about their future status. The cooperation of the administering Powers, and their provision of information to the Secretary-General, were very important in that respect. Seminars and visiting

missions were important means of assisting the population in exercising its right to self-determination. The majority of the Non-Self-Governing Territories were small island territories, and that situation needed to be taken into account. The responsibility of the administering Powers and the role of the United Nations system in the promotion of sustainable development and of the process of self-determination were essential. The international community needed to redouble its efforts to complete the work of decolonization.

29. **Mr. Kuindwa** (Kenya) commended the Special Committee for its untiring efforts to eliminate the remaining vestiges of colonialism and for the work achieved through its visiting missions and seminars to review the progress in implementing the Plan of Action for the International Decade for the Eradication of Colonialism, an approach which would enable the people of the remaining 17 Non-Self-Governing Territories to choose freely the options available to them in deciding on their respective destinies. He supported the Special Committee's plan to re-evaluate its work methods and the effectiveness of its implementation strategies with a view to providing more clarity and focus. All administering Powers should continue their cooperation with the Special Committee, and inadequate political, economic, social and educational preparedness should not delay the exercise of the rights to self-determination and independence.

30. In view of the significant progress made in the identification process in Western Sahara, he remained hopeful that the outstanding issues would be addressed during the next round of talks with the relevant parties. He also hoped that arrangements for implementation of the repatriation programme would be swiftly finalized between the United Nations Mission for the Referendum in Western Sahara (MINURSO) and the two parties. The demining of sites for the repatriation of refugees eligible to vote, their immediate families and other Saharan residents outside the Territory could then be completed. Since it was essential to consolidate the achievements made by addressing the remaining political and operational issues in a balanced and careful manner, he encouraged the parties concerned to continue their cooperation with the United Nations with a view to creating an enabling atmosphere for the referendum to be held as planned.

31. He commended the Indonesian Government for allowing the international community to send a multinational force to restore order in East Timor and welcomed its commitment to fulfil the newly expressed will of the East Timorese people to seek a new destiny. The progress already achieved by UNAMET was encouraging, and he hoped that it would progressively create conditions for stability in the rest of the territory and enable the East Timorese people to realize their right to self-determination. In conclusion, he reiterated his commitment to the work of the Committee and remained optimistic that the remaining issues would be resolved in a manner acceptable to all concerned.

32. **Mr. Naidu** (Fiji), referring to Chapter XI of the Charter of the United Nations, said that his delegation shared the concern of many others that the political, economic, social and educational advancement of the people of the Non-Self-Governing Territories remained unfulfilled after 54 years. It was also concerned over issues relating to the treatment and protection of the indigenous peoples of the Territories, the erosion of their traditional culture and the slow pace of economic, social and human development in the Territories. It was even more concerned by the slow promotion and facilitation of self-government and by the fact that the utmost effort had not been made to ascertain the free and voluntary choice of the peoples on the political future of their Territories.

33. It was a sad comment on democracy that all forms and guises of colonialism would not have been eradicated by the year 2000. In that connection, he was concerned over the lack of substantial progress in the determination of the free and voluntary choice of the peoples on the political future of their Territories and the full implementation of choice. Such progress would be made only when the administering Powers cooperated fully with the Special Committee with a view to resolving the issue. Thus far, the informal dialogue with the Special Committee had not significantly contributed to resolving the political future of the Territories, and he therefore called upon the administering Powers to participate more actively in its work. They should also facilitate visits to the Territories by United Nations missions and devote more urgent attention to programmes aimed at promoting political, educational, social and human development in the Territories, in which connection the people should be fully consulted. The special rights of the indigenous peoples in the Territories must be guaranteed, protected and enhanced, and their traditions and culture respected.

34. The genuine steps taken to advance the decolonization process in certain Territories, such as Tokelau, New Caledonia, Western Sahara and East Timor, were laudable. Despite the atrocities that had occurred in the latter case, the decision of the people should be respected and carried forward by the international community, which should learn from the experience and be fully prepared in the event of similar referendums to be held elsewhere. Such referendums and plebiscites provided the best form for expression of the free and voluntary choice of the peoples on the political future of their Territories, such as independent statehood,

free association or integration. The administering Powers which had not scheduled referendums in their Territories must commence dialogue with the peoples concerned with a view to agreeing a time-frame, as well as terms and conditions, in that connection. In conclusion, he said that the Special Committee should be provided with adequate resources in order to enhance its role, prepare and negotiate a new mandate on decolonization and strengthen the political will to hasten the pace of decolonization.

35. **Mr. Larrain** (Chile) associated himself with the statement made by the representative of Mexico on behalf of the Rio Group, but wished to make a few additional observations.

36. Chile welcomed the agreements of 5 May 1999 between Indonesia and Portugal on the subject of East Timor. It had followed closely and with concern the events that had taken place prior to the holding of the popular consultation and regretted the violence that had followed the announcement of the results. It nevertheless appreciated the decision of the Government of Indonesia to accept international cooperation in order to restore order and security in the Territory.

37. Chile was concerned at the obstacles that remained to the holding of the referendum on self-determination in Western Sahara and hoped that the referendum would finally take place in accordance with the timetable established by the Secretary-General. It welcomed the progress that had been achieved in the identification process and appealed to the parties to continue to cooperate with MINURSO in the appeals process.

38. Concerning New Caledonia, his Government welcomed the signing of the Nouméa Accord and the fact that, in fulfilment of the provisions of General Assembly resolution 53/65, France had invited representatives of countries of the Pacific region, including Chile, to the Territory to familiarize them with the process that had been initiated under the Accord.

39. On the question of the Falkland Islands (Malvinas), his delegation supported the statement made by the delegation of Uruguay and wished to reaffirm its conviction that there should be a peaceful and negotiated solution to the dispute between Argentina and the United Kingdom, in conformity with the relevant resolutions of the General Assembly and of the Special Committee.

40. Despite the fact that the General Assembly had declared the period 1990-2000 as the International Decade for the Eradication of Colonialism, since 1984 no Non-Self-Governing Territory on the Special Committee's agenda had exercised its right to self-determination. As a result, the members of the Special Committee and the administering Powers had agreed on a set of informal guidelines for developing a plan of action that would go beyond the year 2000. Under that plan, the wishes of the populations of the Non-Self-Governing Territories would be faithfully determined and a specific programme of work developed for each Territory. The plan represented a significant step forward and would permit further progress to be made towards the noble objective of decolonization based on cooperation between the Special Committee, the administering Powers and the respective governments of the 12 small Territories. In that connection, the formal cooperation in which the Committee had been engaged for some time with New Zealand illustrated how it was possible to work together with the administering Powers.

41. **Mr. Snoussi** (Morocco) said that the question of Western Sahara was concerned not with decolonization but rather with a referendum to complete the territorial integrity of Morocco. It was only after the so-called Western Sahara had been ceded back to Morocco following negotiations with the Government of Spain that, in circumstances that were known to all, a handful of rebels had forcibly taken control of a part of the population and conspired against Morocco's territorial integrity. Morocco had foiled the plot, but had nevertheless proposed that a referendum should be held under the auspices of the United Nations to settle the matter once and for all. It had since provided moral and material support to MINURSO and had invested considerable resources in developing the Territory's infrastructure and in bringing living standards up to the level that existed in the rest of the Kingdom.

42. Persons who were either ill-intentioned or ill-informed had been falsely claiming that Morocco was responsible for the delay in the holding of the referendum. It sufficed to consult the various reports which the Secretary-General had prepared on the question since 1991 to see that the opposite was true. Morocco had also been accused of delaying the implementation of the protocols and of the "package deal" proposed by the Secretary-General. In fact, the "package deal" concerned only Morocco's 65,000 applicants. His Government had been obliged to negotiate the criteria for their identification, with which it was still not satisfied.

43. On the question of refugees, Morocco had long been calling attention to the abduction of the so-called refugees, who were paraded in their camps abroad for the benefit of visiting delegations. The so-called brave fighters, who still held thousands of children hostage in their training camps, should realize that the cold war was over and that it was time to return the children to their homes. He did not understand,

moreover, why those refugees who had already been identified had not yet been repatriated. Morocco was prepared to accept all refugees who were allowed to return home. Recognizing the need for transparency, it had also requested the Office of the United Nations High Commissioner for Refugees (UNHCR) to station a team in the region and had agreed to the confidence-building measures proposed by UNHCR.

44. The right to self-determination must not be denied to any section of the Saharan population. It was impossible to speak of self-determination, for example, if tribal groups who had fought against colonialism were rejected en masse by the Identification Commission. The criteria for participation in the referendum should be logical and reasonable and should include both ties of blood and ties to the Territory. Unfortunately, it was becoming increasingly apparent that the parties were heading towards a referendum that was undemocratic and inequitable. Morocco nevertheless continued to hope that the errors committed would be corrected in the near future.

45. In response to the concerns expressed by the representative of Mexico, speaking on behalf of the Rio Group, he wished to clarify that the incident in Laayoune to which the representative had referred had in fact been a student demonstration over material and social demands and that no deaths had resulted.

46. Morocco solemnly reaffirmed that it would do everything possible to ensure that the referendum, which it had proposed in good faith, took place in a democratic, equitable and transparent manner. No administrative, routine or financial contingency could be invoked, however, to deny the entire population the right to express its wishes freely.

47. **Mr. Diop** (Senegal) said that, even though the process of decolonization had increased the size of the family of nations from 51 to 188 States in the space of a single generation, there was no room for complacency. Vigilance was still needed and every opportunity must be taken to encourage dialogue between the administering Powers and the representatives of the remaining Non-Self-Governing Territories, in keeping with the spirit of cooperation that had been witnessed in the cases of New Caledonia, Tokelau and East Timor.

48. The Committee should value reason over passion and refrain from drawing a parallel between Western Sahara and East Timor. The testimony of petitioners notwithstanding, it was clear that the language of decolonization was not applicable to Western Sahara, where a process of consultation of the people was under way. In fact, Morocco had no lessons to be taught about the struggle for emancipation and independence in Africa or about human rights. The Committee should therefore encourage the two parties to cooperate with a view to the holding of a free, transparent and impartial referendum, in accordance with the United Nations Settlement Plan for Western Sahara and with the participation of all persons native to the Territory.

49. **Mr. Salamanca** (Bolivia) said that his delegation associated itself with the statements made by the representatives of Mexico, in his capacity as coordinator of the Rio Group, and of Uruguay, on behalf of MERCOSUR and the associated States of Bolivia and Chile, but wished to make a few additional observations.

50. The United Nations had played a key role in the historic and political process of decolonization. Despite the considerable progress that had been achieved, however, the populations of the 17 Non-Self-Governing Territories remaining on the agenda of the Special Committee still aspired to independence and the right to self-determination. As the new millennium dawned, Bolivia hoped that the United Nations might soon be able to proclaim a world free of colonial vestiges, free of oppression and economic, political and social dependency and respectful of democratic values and fundamental human rights.

51. His Government followed attentively and in some cases with concern the efforts being made to achieve self-determination and independence in a number of Non-Self-Governing Territories. Each situation required a different approach and genuine political will by the parties concerned. Bolivia was concerned at the reaction to the vote by the people of East Timor, whose clearly expressed desire for independence must be respected and translated into reality with the full cooperation of the international community. If not, the image of the United Nations, which had supported the process of popular consultation, would suffer grave harm.

52. In Western Sahara, he hoped that the identification process would move forward without delay within the time limits set for the holding of the referendum. The recent outbreak of violence, which had resulted in deaths and injuries among the civilian population, gave cause for concern.

53. The way in which New Zealand had dealt with the case of Tokelau, on the other hand, was an example of political will to resolve the colonial status of a Territory which took into account the needs and aspirations of the local population.

54. In New Caledonia, a peaceful and gradual process of emancipation was unfolding within an institutional

framework agreed upon by the parties. In that regard, the spirit and letter of the Matignon and Nouméa Accords must be respected so as not to betray the hopes of the people of the Territory.

55. Concerning the Falkland Islands (Malvinas), his Government hoped that the United Kingdom and Argentina would seek a peaceful solution to their dispute, as the General Assembly and the Special Committee had urged in their relevant resolutions.

56. Bolivia welcomed the cooperation being given by some administering Powers to the process of decolonization. It also welcomed the dialogue which had just begun in the Special Committee on the possibility of considering directly the situation of the Non-Self-Governing Territories under that Committee's jurisdiction. The exchange of ideas in the Special Committee aimed at developing new conceptual approaches to decolonization would move the international community closer to the goals proclaimed in the International Decade for the Eradication of Colonialism, which, given the considerable work that remained to be done in that area, should be extended beyond the year 2000.

57. Lastly, in view of the general lack of information and the difficulty of organizing visits to the Non-Self-Governing Territories, regional seminars might be a useful way of disseminating information on the social and constitutional situation of the Territories and their populations.

58. **Mr. Fils-Aime** (Haiti) said that his delegation fully supported the statement made by Saint Lucia on behalf of the Caribbean Community.

59. The United Nations had contributed effectively to the decolonization of over 80 Territories since the end of the Second World War. The remaining 17 Non-Self-Governing Territories must not be marginalized or abandoned to their fate under any pretext; their two million inhabitants had the right to choose and manage their own future, protect their environment and natural resources, and preserve and propagate their traditions and culture.

60. In accordance with the principles laid down by the General Assembly in resolution 1541 (XV), autonomy and protection of the inalienable rights of the peoples of the Non-Self-Governing Territories did not necessarily mean accession to independence. His delegation called on the administering Powers to create the necessary conditions to enable the people of their respective Territories to make a judicious choice with regard to self-determination, without constraints imposed by the administering Powers or by rebel leaders pursuing their personal agendas.

61. His delegation encouraged the organization of seminars in the Caribbean and Pacific regions as the best way of assessing the needs of small island Territories and consulting with the inhabitants of the Territories and their elected representatives, the administering Powers, and other parties involved.

62. Haiti welcomed East Timor's vote for independence. It hoped that the Government of Indonesia would do everything in its power to ensure respect for the wishes and aspirations of that people.

63. His delegation reiterated its support for the 1994 Barbados Programme of Action for the Sustainable Development of Small Island Developing States.

64. **Mr. Bandora** (United Republic of Tanzania) said that the performance of the United Nations in the decolonization process had been most exemplary. It was therefore ironic that, with the exception of the encouraging advances in Tokelau and New Caledonia, little meaningful progress had been made during the last phase of that process. On the whole, the attitudes of the administering Powers remained unchanged, thus demanding greater resolve and commitment by the United Nations to advocate the right of the people in the Territories to self-determination. He hoped that continuing dialogue with the Special Committee, which was critical to furthering the cause of self-determination for those people, would be deepened and expanded to include all administering Powers with a view to ending decolonization early in the new century. It was in the interests of those Powers to manifest their cooperation by welcoming visiting missions and submitting reports as required under Article 73 *e* of the Charter of the United Nations.

65. Until the people in the remaining Non-Self-Governing Territories were given the opportunity to determine their status in a transparent and internationally supervised arrangement, his delegation would continue to view with great scepticism any claim that they did not wish to exercise their right to self-determination. Given that special attention needed to be devoted to the problems faced by small island developing States, the administering Powers and the United Nations should endeavour to expand their assistance programmes to the Territories, which fell largely under that category. The enjoyment of greater autonomy in decision-making in connection with the exploitation and management of natural resources and generated earnings was also a critical step in preparing the Territories for the eventual exercise of their right to self-determination.

66. His delegation was seriously concerned over the situation in Western Sahara, and hoped that the appeals process would be handled expeditiously and that all

difficulties would be resolved to enable the scheduled referendum to be held. The United Nations should maintain vigilance and take measures to arrest the deteriorating security situation in Laayoune with a view to avoiding a negative impact on the referendum and a repetition of the tragic events witnessed in East Timor. While regretting those events, his Government nevertheless welcomed the Agreements reached on 5 May 1999 by the Governments of Indonesia and Portugal and the United Nations and hoped that normalcy would soon be re-established, thus enabling the wishes of the East Timorese people to be achieved. With a view to realizing the dream of a world free from colonialism early next century, he called on the administering Powers of the remaining Non-Self-Governing Territories to join the international community and allow the people in those Territories to exercise their right of self-determination.

67. **Mr. Andjaba** (Namibia) said that, taking place as it did at the threshold of the new millennium, the current session provided an opportunity for reflection on the progress achieved by Member States in assisting those who continued to yearn for self-determination and national independence. The almost fourfold increase in the membership of the United Nations since its inception was attributable to the commitment and dedication of Member States to the principle of self-determination and national independence contained in the Declaration on the Granting of Independence to Colonial Countries and Peoples, which had enabled his own country to gain its independence in 1990. With the necessary political will, the objectives of the International Decade for the Eradication of Colonialism could still be realized.

68. His delegation expressed its profound admiration to the Indonesian Government for its courage and wisdom in allowing the referendum to take place in East Timor, sad though the subsequent events were, and sincerely hoped that the presence of the multinational force would pave the way for the final destiny of the people in East Timor. It also commended the Frente Polisario and the Moroccan Government for their flexibility and cooperation, which should similarly pave the way towards peaceful settlement of the conflict. It was, however, concerned by the growing number of appeals in connection with the referendum, and hoped that they would not lead to a second round of the identification process which would delay the referendum even further. The parties concerned should cooperate fully with the United Nations with a view to successful implementation of the settlement plan devised by the Organization of African Unity, which would enable the Saharan people to exercise their inalienable rights to self-determination and national independence.

69. **Ms. Smith** (United Kingdom), speaking in exercise of the right of reply, said, with reference to the observations made by the representative of Spain concerning Gibraltar, that her Government's position on the matter was well known and had recently been reiterated by the representative of the United Kingdom in exercise of the right of reply to the statement made in the General Assembly on 21 September 1999 by the Minister for Foreign Affairs of Spain.

70. With regard to the statements made earlier by the representatives of Bolivia, Brazil, Chile and Iraq concerning the Falkland Islands (Malvinas), the United Kingdom's position on that matter was also well known and had recently been restated by the Permanent Representative of the United Kingdom in exercise of the right of reply to the remarks made in the General Assembly on 21 September 1999 by the President of Argentina. The Permanent Representative's statement was contained in document A/54/420.

The meeting rose at 5.25 p.m.

United Nations A/C.4/54/SR.7

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 7th meeting
Held at Headquarters, New York, on Friday, 8 October 1999, at 10 a.m.

Chairman: Mr. Zackheos ..... (Cyprus)

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The meeting was called to order at 10.10 a.m.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*)

Agenda item 92: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*)

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Agenda item 95: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*)

Draft resolution on information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations, submitted under agenda item 92 (A/54/23 (Part III), chap. XIII, sect. A)

1. **Mr. Duffy** (United States of America), speaking in explanation of vote before the vote, said that, as in the previous seven years, the American delegation would abstain in the vote on the draft resolution because the General Assembly expressed its own view therein as to whether those Territories had attained self-government. The United States considered that it was for the administering Power itself to determine whether its obligations under Article 73 *e* of the Charter had ceased.

2. *A recorded vote was taken.*

In favour:

Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Belgium, Bolivia, Brazil, Brunei Darussalam, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Finland, Germany, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Luxembourg, Maldives, Malta, Mexico, Myanmar, Namibia, Netherlands, New Zealand, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, South Africa, Spain, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uzbekistan, Yemen.

Against:

None.

Abstaining:

France, Israel, Monaco, United Kingdom of Great Britain and Northern Ireland, United States of America.

3. *The draft resolution was adopted by 84 votes to none, with 5 abstentions.*

4. **Ms. Bamber** (United Kingdom) said that, as in previous years, the United Kingdom had abstained in the vote on the draft resolution. The United Kingdom did not take issue with the main aim of the draft resolution and would continue to comply fully with its obligations in respect of its overseas Territories.

5. However, the final decision as to whether a Non-Self-Governing Territory had reached a level of self-government sufficient to relieve the administering Power of its obligation to submit information under Article 73 *e* of the Charter rested with the Government of the Territory concerned and the administering Power, not the General Assembly.

Draft resolution on economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories, submitted under agenda items 93 and 18 (A/54/23 (Part III), chap. XIII, sect. B)

6. **Mr. Duffy** (United States of America) proposed the deletion from the draft resolution under consideration of paragraph 7. The United States did not agree with the implication in the draft resolution that the very existence of foreign economic activity was an obstacle to the self-determination of Non-Self-Governing Territories. The text of the resolution had improved in recent years, but the United States would be forced to vote against it unless paragraph 7 was omitted or amended. There was no need for that paragraph, since the causes for concern were referred to in paragraphs 4 and 5. Furthermore, the paragraph implied that such activity was taking place continuously in all Territories that had not attained self-government. Illegal

fishing was damaging wherever it took place, yet paragraph 7 stated that such activity was somehow especially damaging for Non-Self-Governing Territories. The United States rejected such an assertion.

7. **Mr. Sattar** (Secretary of the Committee) said that, at the request of the United States, a separate vote would be taken on paragraph 7 of the draft resolution. Those delegations that supported the retention of paragraph 7 should vote "in favour", while those that supported its deletion should vote "against".

8. *A recorded vote was taken on paragraph 7.*

In favour:

Algeria, Argentina, Bahamas, Belarus, Benin, Bolivia, Brazil, Brunei Darussalam, Cambodia, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ghana, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mexico, Myanmar, Namibia, Nepal, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Russian Federation, Saint Lucia, Singapore, South Africa, Syrian Arab Republic, Thailand, Tunisia, United Republic of Tanzania, Venezuela, Yemen, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Andorra, Armenia, Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Guatemala, Haiti, Hungary, Ireland, Italy, Japan, Kazakhstan, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Spain, Sweden, Turkey, Ukraine, Uzbekistan.

9. *Paragraph 7 of the draft resolution was retained by 52 votes to 3, with 38 abstentions.*

10. *A recorded vote was taken on the draft resolution as a whole.*

In favour:

Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Finland, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mexico, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Lucia, San Marino, Saudi Arabia, Singapore, South Africa, Spain, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uzbekistan, Venezuela, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

France, Monaco, United Kingdom of Great Britain and Northern Ireland.

11. *The draft resolution was adopted by 97 votes to 2, with 3 abstentions.*

12. **Mr. Islam** (Pakistan), speaking on a point of order, noted that the number of delegations participating in the voting on the first two resolutions in 1999 was 60 per cent lower than in the previous year. In 1998, the first resolution had been adopted by 156 votes to 2, with 5 abstentions. As for the second resolution, in 1998 it had received 154 votes. His delegation was concerned at the drop in those figures, which might be accounted for by the unfortunate scheduling that resulted in the absence of many delegations from the meeting. There was a need to consider what a poor impression such a situation gave of the Committee's readiness to concern itself with the matters before it.

13. **Mr. Sinha** (India) said that, according to his data, in the previous year the following votes had been cast: 116 votes for the adoption of the first resolution, none against and 5 abstentions; 60 votes in favour of the retention of paragraph 7, 42 against and 3 abstentions; 120 votes in favour of the second resolution as a whole, 2 against and 3 abstentions. He shared the concern of the representative of Pakistan at the decrease in the number of those present and participating in the vote, although he did not consider that decrease so significant.

14. **The Chairman** said that the voting was being conducted in accordance with the rules and would continue.

Draft decision relating to military activities and arrangements by colonial Powers in Territories under their administration, submitted under agenda items 93 and 80 (A/54/23 (Part III), chap. XIII, sect. H)

15. *A recorded vote was taken.*

In favour:

Algeria, Argentina, Bahamas, Bahrain, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Cambodia, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mexico, Myanmar, Namibia, Nepal, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saudi Arabia, Singapore, South Africa, Syrian Arab Republic, Thailand, Tunisia, United Republic of Tanzania, Venezuela, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Armenia, Australia, Austria, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

Abstaining:

Belarus.

16. *The draft decision was adopted by 61 votes to 40, with 1 abstention.*

17. **Ms. Sall** (Finland), speaking on behalf of the European Union, said that the European Union acknowledged the progress made in the work of the Special Committee on Decolonization and hoped that it would continue to ensure that texts it submitted were balanced in order to secure the widest support. The European Union reiterated its support for the adoption — without a vote for the second consecutive year — of the omnibus resolution on small territories and welcomed the progress towards greater consensus on the resolution relating to economic activities.

18. Unfortunately, as in previous years, the European Union was compelled to reiterate its objections to the draft decision on military activities, since the issue did not fall within its competence. For that reason, the member States of the European Union had voted against the draft decision.

19. **Mr. Duffy** (United States of America) said that the United States had voted against the draft decision because it did not agree with the premise on which it was based, namely that the very existence of military activities in Non-Self-Governing Territories violated their right to self-determination. The right to self-defence was acknowledged in the Charter of the United Nations. Moreover, it was widely acknowledged that States had the right to develop collective security systems. Accordingly, it was in that particular light that situations in the Territories should be viewed.

20. **Mr. Thapa** (Nepal), **Mr. Tanoh Boutchoué** (Côte d'Ivoire), **Mr. Maulion** (Philippines), **Mr. Bliznikas** (Lithuania), **Mr. Sun Swon** (Cambodia), **Mr. Contreras** (Venezuela), **Mr. Ntakhwana** (Botswana), **Mr. Lyberopoulos** (Greece), **Mr. Ledenev** (Russian Federation), **Mr. Matchavariani** (Georgia), **Mr. Ali** (Malaysia), **Mr. Chekenyere** (Zimbabwe), **Mr. Mubebo** (Zambia), **Mr. Stanislaus** (Grenada), **Ms. Otiti** (Uganda), **Mr. Nkingiye** (Burundi) and **Mr. Bantole** (Benin) said that if their delegations had been present for the vote on the draft resolution on information relating to Non-Self-Governing Territories submitted in accordance with article 73 *e* of the Charter of the United Nations, they would have voted in favour.

Draft resolution relating to implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies, submitted under agenda items 94 and 12 (A/54/23 (Part III), chap. XIII, sect. C)

21. **Mr. Duffy** (United States of America), speaking in explanation of vote before the vote, said that his delegation would abstain; it believed that the draft resolution was unnecessary and that it inappropriately linked the work of the specialized agencies and other organizations to the Declaration on the Granting of Independence to Colonial Countries and Peoples. Those agencies needed no guidelines other than those contained in their mandates.

22. *A recorded vote was taken.*

In favour:

Algeria, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Belarus, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Cambodia, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ghana, Grenada, Guinea,

Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Myanmar, Namibia, Nepal, New Zealand, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saudi Arabia, Singapore, South Africa, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Republic of Tanzania, Venezuela, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Andorra, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

23. *The draft resolution was adopted by 67 votes to 0, with 39 abstentions.*

24. **Ms. Sall** (Finland), speaking on behalf of the European Union, reiterated the European Union's support for the efforts of the specialized agencies to provide assistance to the Non-Self-Governing Territories in the humanitarian, technical and educational fields. At the same time, the mandates of those agencies must be strictly respected. The member States of the European Union had accordingly abstained in the vote.

25. **Mr. Hunte** (Saint Lucia) said that his delegation had voted in favour of the draft resolution on the provision of assistance by the specialized agencies to Non-Self-Governing Territories, since the mandate of many of those organizations provided for such assistance.

Draft resolution relating to offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories, submitted under agenda item 95 (A/C.4/54/L.5)

26. **The Chairman** announced that the Islamic Republic of Iran and Thailand had joined the co-sponsors of the draft resolution.

27. *The draft resolution was adopted without a vote.*

Programme budget implications of draft resolutions

28. **Mr. Sattar** (Secretary of the Committee), referring to the recommendations of the Special Committee on Decolonization (A/54/23 (Part III), chap. XIII, sects. D-F), said that their implementation would have no additional financial implications for the 2000-2001 biennium. Articles 8-11 of draft resolution A/C.4/54/L.3 would have no financial implications on the regular programme budget.

Draft resolution relating to the question of Western Sahara, submitted under agenda item 18 (A/C.4/54/L.3)

29. *The draft resolution was adopted without a vote.*

30. **Ms. Silfverberg** (Finland), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, and, in addition, Iceland and Norway, said that the European Union welcomed the adoption without a vote of the resolution on Western Sahara and reiterated its support for the United Nations settlement plan, recalling, in that connection, its declaration on that issue of 21 June 1999.

31. The European Union looked forward to a speedy finalization of the identification and appeals processes in order that the referendum might take place in accordance with the provisional timetable. It shared the opinion of the Secretary-General that despite some delays, the process thus far testified to the intention of both parties to maintain progress towards the referendum.

32. The European Union welcomed the appointment of the new Special Representative of the Secretary-General and the new Deputy Special Representative, as well as the new Chairman of the Identification Commission, and expressed its full support to them.

33. The European Union urged parties to cooperate fully with the Secretary-General, his Personal Envoy and Special Representative, in order to further all aspects of the settlement plan. The parties' cooperation with the United Nations Mission for the Referendum in Western Sahara (MINURSO) continued to be of utmost importance, and to play a decisive role in the peace process.

34. **Mr. Snoussi** (Morocco), explaining his position after the adoption of the resolution, expressed his appreciation for the draft submitted by the Chairman, which had enabled the usual petty conflicts to be avoided and considerable time to be gained. The position of the Government of Morocco was that the question of Western Sahara was not an issue of decolonization, but of preserving the territorial integrity of Morocco. In that connection, the Government of Morocco

did not consider itself bound by those provisions of the adopted resolution which referred to decolonization. The issue was being decided by the Security Council, which had drafted several legislative instruments defining a framework for the relevant process. Morocco stressed its willingness to cooperate with bodies established by the Security Council with the aim of working towards a just, transparent and democratic referendum, and would, to that end, continue to support the work of MINURSO; it counted upon its partners to ensure, *inter alia*, the registration of refugees and their protection, as well as their free participation in the referendum. The Government of Morocco considered that former and current inhabitants of the territory and those with blood ties to the territory would be given the opportunity of voicing their opinions in accordance with the principle of self-determination.

Draft decision relating to the question of Gibraltar, submitted under agenda item 18 (A/C.4/54/L.4)

35. *The draft decision was adopted without a vote.*

Draft resolution relating to the question of New Caledonia, submitted under agenda item 18 (A/54/23 (Part III), chap. XIII, sect. D)

36. **Mr. Mekdad** (Syrian Arab Republic), Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, read out changes to the draft resolution agreed during consultations. The sixth preambular paragraph should be deleted. Paragraph 7 should be modified to read: "*Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony", and placed immediately following paragraph 1. Paragraph 5 should read: "*Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region". In paragraph 8, line 4, the words "of the Mattignon and Nouméa Accords" should be replaced with the words "of the Nouméa Accord". Paragraph 14 should read: "*Welcomes*, in this regard, the accession by New Caledonia to the status of observer to the South Pacific Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the South Pacific Forum".

37. *The draft resolution, as orally amended, was adopted without a vote.*

Draft resolution relating to the question of Tokelau, submitted under agenda item 18 (A/54/23 (Part III), chap. XIII, sect. E)

38. *The draft resolution was adopted without a vote.*

Draft resolution relating to the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (A/54/23 (Part III), chap. VIII, sect. F)

39. **Mr. Ovia** (Papua New Guinea) said in recent consultations, it had been decided that in section XI, paragraph 7, of the draft resolution — before the word "debt" — the word "appropriate" should be inserted.

40. **Mr. Dausa Cespedes** (Cuba) noted that the word "Guam" had been omitted from the announcement of the item at the meeting and from that day's *Journal*.

41. **The Chairman** apologized for the omission.

42. *The draft resolution, as orally amended, was adopted without a vote.*

43. **The Chairman** noted that the Committee had thus completed its consideration of the items relating to decolonization.

The meeting rose at 11.25 a.m.

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Summary record of the 8th meeting
Held at Headquarters, New York, on Monday, 11 October 1999, at 3 p.m.

Chairman: Mr. Morales ..... (Spain)

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Agenda item 89: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

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99-81526 (E)

The meeting was called to order at 3.05 p.m.

Agenda item 89: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/54/73 and Add.1, 181-185 and 325)

1. **Mr. De Saram** (Sri Lanka), speaking as Chairman of the Special Committee, introduced the thirty-first annual report of the Special Committee to the General Assembly (A/54/325), noting that it had been preceded by two periodic reports (A/54/73 and Add.1) but that he would refer principally to the annual report.

2. As in previous years, the Special Committee had received the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and of Palestinian representatives. In Egypt and Jordan, its representatives had received the oral testimony of persons residing in the occupied territories as well as written material. In the Syrian Arab Republic, they had received the testimony of persons who did not reside in the occupied territories but had remained in contact with inhabitants of the occupied Syrian Arab Golan. It was unfortunate that the Israeli authorities had denied Special Committee members access to the occupied territories. It was important for the Committee to go there in order to be directly informed about the human rights situation and to ascertain directly the views of the Israeli authorities on matters within its purview.

3. Persons making statements to the Special Committee had been cautioned as to the significance of their statements, and the statements had been made under oath. A number of Israeli nationals concerned with human rights in the occupied territories had given impressive testimony. The Special Committee had also received excerpts of reports appearing in the Israeli press and in the Arab press published in the occupied territories. The material provided to the Special Committee by the Governments of Egypt, Jordan and the Syrian Arab Republic was outlined in the report, and the annex listed other documents of relevance that had not been reproduced but were available for consultation. The report was but a fraction of the vast body of information provided under oath that been received by the Special Committee, all of which could be consulted in the records maintained by United Nations verbatim reporters.

4. The Special Committee had communicated with the Secretary-General and the United Nations High Commissioner for Human Rights for the purpose of bringing to their attention certain specific recommendations made in the concluding paragraphs of its 1998 report to the General Assembly (A/53/661) and restated in paragraph 264 of its 1999 report (A/54/325). The Special Committee had also been in communication with the International Labour Organization and the World Health Organization with reference to matters relating to the occupied territories.

5. With regard to the occupied territories of Gaza, the West Bank and East Jerusalem (report, paras. 35-215), the Special Committee had ascertained that the Israeli authorities had set up an extensive system of laws, regulations and administrative procedures that were oppressive and discriminatory against Palestinians. Chapter IV of the report dealt with the following questions that the Special Committee considered particularly important: (i) the construction of new settlements and the expansion of existing ones and the building of bypass roads, the fragmentation of the land, the environmental problems resulting from the establishment of settlements, and the tension and violence aroused by the presence of armed settlers; (ii) the utilization of water, with the settlers clearly in a privileged position; (iii) the restrictions on the construction or expansion of Palestinian housing and the demolition of houses constructed or expanded without the required authorization, which was very difficult to obtain; (iv) the restrictions that applied to East Jerusalem, especially with regard to residence, and the alteration of the city limits, with the establishment of Jewish settlements within or in close proximity to East Jerusalem; (v) the system of administrative detention, the conditions of detention and the arbitrary extensions of detention, and the methods of interrogation, which were contrary to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as attested to by a number of persons, including Israeli nationals; (vi) the disruptions caused to employment, trade, education and health care by restrictions on movement; and (vii) the effect of such a long period of occupation on families and children.

6. Chapter V concerned the situation of human rights in the Syrian Arab Golan occupied by Israel in 1967 and "annexed" in 1981. The purported annexation had been declared null and void by the General Assembly and the Security Council. The Special Committee had been informed that the occupation of the Syrian Arab Golan was in itself one of the most serious forms of human rights violations. The identity and culture of the Syrians under occupation were being seriously and intentionally modified, the school curricula were being altered in a manner that misrepresented Syrian culture and history and marginalized the Arab heritage and language of the Golan Syrians. Steps were also being taken to deliberately change the demography of the

occupied Golan, in particular by increasing the number of settlers and expanding existing settlements.

7. Water continued to be a serious problem in the occupied Golan. The Israeli authorities exercised a strict control over water resources and gave privileges to the settlements with respect to water utilization, to the detriment of the Syrians, who were primarily farmers. There were few employment opportunities in the occupied Golan, prices for agricultural produce were low and taxes were heavy. The health care was inadequate and the population was subjected to arbitrary arrest and detention. Relations between the settlers, who were armed, and the Syrian population of the occupied Golan were tense and often violent, particularly where settlements were situated close to Syrian villages. The landmines that had been placed over a large part of the occupied Golan were a serious threat to the population and it was believed that they had not been removed by the Israeli authorities because they served to prevent the expansion of Syrian villages. Freedom of movement was restricted and families living on either side of the line of demarcation were separated and had difficulty communicating with each other.

8. The overriding impression of the three members of the Special Committee had been an altogether troubling one, which was summed up in paragraphs 253 to 257 of the report. The Special Committee considered it important that the General Assembly and other relevant bodies should continue to pay close attention to the occupied territories and take active steps to improve the difficult situation prevailing there. The Special Committee considered it important to reaffirm once again, in paragraph 264 of its report, the recommendations it had made in the conclusions to its 1998 report.

9. The Special Committee was of the view that conditions in the occupied territories were in a number of respects not in keeping with contemporary human rights requirements or with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which General Assembly resolutions had declared applicable to the occupied territories.

10. A few encouraging developments should be noted in conclusion, in particular the recent resumption of dialogue in the peace process, the decision of the Supreme Court of Israel to prohibit certain methods of interrogation, the steps recently taken to facilitate freedom of movement somewhat, and the concern of certain Israelis at the human rights situation in the occupied territories. They were to be welcomed, even if the circumstances in the occupied territories remained on the whole discouraging.

11. **Ms. Nasser** (Palestine) expressed regret that once again the report relevant to agenda item 89, which was extremely important for her delegation and for the international community, had been delayed. At the dawn of the twenty-first century, the landscape of the Middle East continued to be defined by the Israeli occupation of Palestinian territory, including Jerusalem, and by the deplorable situation of the Palestinian people. The Special Committee's mandate continued therefore to be relevant until the Israeli occupation was brought to an end.

12. Although there had been progress recently in the dialogue between Palestinians and Israelis within the framework of the peace process, in particular the signature on 4 September 1999 of the Sharm el-Sheikh Memorandum with the new Israeli Government, Israel continued to violate international law and international humanitarian law, including the Fourth Geneva Convention, as well as the relevant resolutions of the Security Council and the General Assembly. Those violations had continued during the period in question, causing countless hardships for the Palestinian people, aggravating their living conditions and in many cases impeding genuine economic development. The frequent use of collective punishments, including the demolition of homes, the imposition of closures and curfews and other restrictions on the freedom of movement of persons and goods constituted a violation of the fundamental rights of the Palestinian people. Administrative detentions and the harassment, physical maltreatment and torture of Palestinian prisoners also persisted.

13. However, among the violations that Israel continued to commit during the period in question, the case of illegal colonial settlements stood out. Such illegal practices involved many violations of international law and international humanitarian law, such as the confiscation of land and property for the building of colonies and bypass roads, the exploitation and theft of natural resources and the transfer of more Israeli settlers into the occupied Palestinian territory. The acts of violence perpetrated by extremist settlers were a direct result of those illegal activities. Israeli practices with regard to the illegal settlements were clearly part of an ongoing attempt to change the status of the occupied territory or parts of it and to change the demographic composition of the territory by creating a de facto situation. That strategy was an integral part of the Israeli campaign to Judaize occupied East Jerusalem by making changes to its legal status, character and demographic composition. Settlement activities were not only illegal but were also in violation of the agreements reached between the two parties and, if they continued, would result in the destruction of the peace process.

14. Those Israeli practices were a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which was applicable to all of the occupied Palestinian territory, including Jerusalem. The applicability of the Fourth Geneva Convention had been confirmed repeatedly by numerous resolutions of the Security Council, the General Assembly and other bodies of the United Nations. She recalled in that regard the recent convening of a conference of High Contracting Parties to the Fourth Geneva Convention to discuss measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure its implementation. It had been the first time in the history of the Convention that a conference had been held to consider a specific situation. The conference represented an extremely important step not only with regard to the situation in the occupied Palestinian territory, including Jerusalem, but also with regard to international humanitarian law and efforts to ensure respect for its instruments. It was imperative that the Israeli Government accept the *de jure* applicability of the Fourth Geneva Convention and fully implement its provisions.

15. She hoped that progress would continue and that the current situation would soon change. The peace process would, however, be stalled so long as Israel continued to violate the rules of international law and international humanitarian law as well as the relevant resolutions of the United Nations. Respect for the provisions of those instruments was a prerequisite to progress in the peace process and to true improvement in the living conditions of the Palestinian people and the human rights situation. In conclusion, she expressed her deep regret that the Israeli authorities continued to refuse to cooperate with the Special Committee, which remained an important body for the accomplishment of the mission of the United Nations, with a permanent responsibility for ensuring a resolution of the situation in Palestine until such time as a comprehensive settlement could be reached.

16. **Mr. Keene** (United States of America) said that his Government believed that the terms employed in the resolutions under agenda item 89 contained outdated language that failed to support the peace process. While recognizing that the road towards peace was a long and difficult one, the many accomplishments of the negotiating partners could not be ignored, the most recent being the signing of the Sharm el-Sheikh Memorandum. The Fourth Committee should assist in building confidence rather than lessening it. He strongly urged Member States to delete the standard call for the Special Committee to continue its work and report the following year. The Special Committee was an anachronism whose existence was inconsistent with the joint efforts of Israel and the Palestinians to resolve their differences. Governments which supported peace must seek to create an enabling environment for reconciliation in order to help attain the goal shared by all: a just, lasting and comprehensive peace in the region.

17. He reaffirmed that the Fourth Geneva Convention applied to the territories occupied by Israel since 1967, but opposed specific reference to Jerusalem in the resolutions in question because, just as the conference of 15 July attended by some High Contracting Parties had served only to divert attention from the peace process, such references sought to prejudge arrangements which could be determined only by direct negotiations between the parties.

18. **Ms. Silfverberg** (Finland), speaking on behalf of the European Union, the Central and Eastern European countries associated with the European Union, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, and the associated countries of Cyprus and Malta, welcomed the signing of the Sharm el-Sheikh Memorandum on 4 September 1999, which had given renewed impetus to the Middle East peace process. It had been a decisive event which had re-established confidence and had been an important move towards the goal shared by all: a just, lasting and comprehensive peace in the region. The European Union hoped that the implementation of the Memorandum would contribute to improving the serious economic situation in the Palestinian territories and to alleviating the feelings of despair and frustration among the Palestinian people. It encouraged the Israeli Government to meet its responsibilities fully by promoting favourable conditions for economic development which would contribute to a reduction in the tension and violence in the region and to the promotion of political stability and peace.

19. The newly rebuilt trust between the parties was a very important step towards reaching that goal and the parties must refrain from any unilateral acts which might become a source of new tension or prejudge the outcome of the final status of negotiations. The European Union condemned in the strongest terms all the acts of terrorism which had followed the signing of the Sharm el-Sheikh Memorandum and called on the parties to deny success to those who were seeking to frustrate the peace process by provocative actions.

20. The European Union had noted the positive developments but still viewed with concern some policies applied by the Israeli Government in the West Bank and Gaza Strip. It was however convinced that the questions addressed by the Special Committee would be better dealt with in a different context more favourable to the spirit of

compromise and mutual understanding. The breakthrough agreement achieved in Sharm el-Sheikh had already led to the resumption of the permanent status negotiations and envisaged the speedy implementation of outstanding commitments under the Interim Agreement. The European Union was ready to be fully associated, through a significant political and economic contribution, with the implementation of the Sharm el-Sheikh Memorandum if the parties so desired, and to contribute to the discussions at the final status negotiations.

21. **Mr. Aboul Gheit** (Egypt) expressed dissatisfaction at the late distribution of the Special Committee's report. He hoped that in the future documents would be issued within the time limits set by the General Assembly.

22. His delegation had thoroughly studied the Special Committee's report for 1999, which unfortunately again showed that the occupying Power was using all its capabilities to alter the situation on the ground and impose a de facto situation on the territories which it had occupied by force in 1967, in defiance of General Assembly and Security Council resolutions and the rules of international law, and heedless of its obligations as an occupying Power under the Fourth Geneva Convention of 1949.

23. The main threat to the peace process consisted in the occupying Power's settlement activities in the occupied territories. His delegation was greatly concerned at the expansion of settlements and the increase in the numbers of Israeli settlers in the West Bank and the Gaza Strip, as well as in occupied East Jerusalem. One of the occupying Power's objectives was to disrupt the geographic unity of the West Bank and to cut it in two by establishing settlements extending from Jerusalem to the Dead Sea.

24. The report described other most disturbing practices relating to the exploitation of water resources, housing, building permits, the demolition of Palestinian homes, administrative detention, checkpoints, and the closure of the territories, all measures which were not conducive to the establishment of peace. The Conference of the High Contracting Parties to the Fourth Geneva Convention, held on 15 July 1999, had issued a final statement confirming that the Fourth Geneva Convention was applicable to the occupied Palestinian territories and requesting Israel scrupulously to fulfil its obligations in accordance with the Convention.

25. His delegation believed that the Israeli settlement policy, especially in occupied East Jerusalem, constituted a threat to peace in the region and nullified the prospects of restoring peace, inasmuch as it rendered the negotiating process meaningless. It was also alarming to observe that Israel was continuing to encourage settlers to reside in the occupied Golan, in total contradiction to the Israeli Government's statements about its intention to resume negotiations with Syria. The Israeli Government should clarify its position in that regard. Certainly the formation of a new Israeli Government in 1999 had brought new hope for the resumption of the peace process, especially after the signing of the Wye River Memorandum implementation agreement at Sharm el-Sheikh on 4 September 1999. His delegation hoped that Israel would honour its obligations in accordance with the agreements that had been reached.

26. **Mr. Agam** (Malaysia) said that it was regrettable that the Special Committee had been unable to visit the occupied territories to assess the human rights situation at first hand and to ascertain the views of the Government of Israel on the subject. The Special Committee had endeavoured to produce a valid report on the basis of other agencies' reports and detailed testimony, including testimony from Israelis working in the field of human rights, on such matters as the demolition of houses and the detention of Arabs in Israeli prisons.

27. The report showed that the human rights situation in the occupied territories had remained very much the same as in previous years: the Israeli authorities were continuing to pursue their repressive practices, with a heavy psychological impact on the Arabs living under Israeli occupation. The situation was especially serious in East Jerusalem, where Israel was taking various measures in an effort to reduce the number of Arab residents, pursuing a policy of Judaization, as was evident from the increase in the number of Israeli inhabitants as a result of, *inter alia*, the construction of the new settlement of Har Homa on Jebel Abu Ghneim and new Israeli housing in Ras Al Mud.

28. His delegation agreed with the view that there would no longer be any need for the Special Committee to investigate Israeli practices once the interim agreement between Palestine and Israel had been implemented. In the past, unfortunately, Israel's implementation of duly concluded agreements had been less than exemplary. In the meantime, it was imperative that the people living under Israeli occupation should be able to make their voices heard through the channel of the Special Committee. If the international community was not to disregard the principles upon which the United Nations had been founded, it must continue to monitor the human rights situation in the occupied territories for as long as necessary.

29. His delegation welcomed the Sharm el-Sheikh agreement between Palestine and Israel, and hoped that it

would lead to a final settlement of the Palestinian-Israeli issue, and ultimately the entire Arab-Israeli question.

30. **Mr. Ka** (Senegal) welcomed the signing of the Sharm el-Sheikh agreement between the Israeli and Palestinian authorities and a recent agreement that would enable Palestinians to travel back and forth between the Gaza Strip and the West Bank. Those were practical actions that would improve the difficult living conditions of the Palestinians of the occupied territories. However, much remained to be done, as the Special Committee's report noted. Israel continued to apply illegal measures and to build or expand settlements, in East Jerusalem in particular, despite the condemnation by the international community. Further human rights violations were occurring even as a process of peace and future coexistence appeared to be under way.

31. Greater efforts were required in order to give fresh impetus to the peace process and ensure that the relevant Security Council and General Assembly resolutions were implemented. The Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War was applicable to all the territories that had been occupied since 1967, as appeared from the resolution to that effect adopted by the tenth emergency special session of the General Assembly and the recent recommendations of the Geneva conference of July 1999.

32. In order to restore peace and security to the region, the concerned parties should rely on reason and dialogue, recognizing the legitimate rights of the Palestinian people, the dignity of the Arab population of the occupied territories and the inalienable rights of the Palestinian people to self-determination and the establishment of their own State.

33. The Special Committee retained its mandate and should pursue its important work of protecting and safeguarding the human rights of the people of the occupied territories, until such time as a just and lasting peace encompassing all the countries of the region, including Israel, had been achieved.

34. **Mr. Al-Hadidi** (Jordan) thanked the Special Committee for the efforts it had devoted to the preparation of its report on the practices under review, which, astonishingly, were continuing even as the States and peoples of the region were doing their utmost to achieve peace. The practices in question were regrettable, as they resulted in the deterioration of the social, economic and humanitarian situation in the occupied Palestinian territories and thus did no service to the cause of peace.

35. Israel's ongoing policy of establishing settlements in the West Bank, including Jerusalem, and the other occupied Arab territories violated the resolutions adopted by the international community, which had declared those settlements illegal, obstructed a peaceful settlement, and were incompatible with the principles upon which the peace process was based.

36. Year after year, his country had called for peace in the region, which had suffered from war and destruction. In that spirit, Jordanian representatives had gone to Madrid with their Syrian, Palestinian and Lebanese brothers with a view to jump-starting the peace process, and in the same spirit the peace agreement between Jordan and Israel had been signed in 1994. That agreement had been an important step on the road to a comprehensive, just and lasting settlement and an example of cooperation in the Middle East, where social development had been obstructed by crises and wars. Palliative measures and temporary solutions that did not go to the root of the problem would not bring about a settlement; that could be achieved only by addressing the underlying causes and implementing the peace agreements that had been reached. The establishment of peace was conditional upon a just solution to the Palestinian question, which lay at the heart of the Arab-Israeli problem, although naturally it was essential to conclude peace with Syria and Lebanon as well. The Wye River Memorandum was important for the reinvigoration of the peace process and the restoration of confidence and cooperation between the Palestinian and Israeli authorities, as well as for a renewal of confidence in the peace process on the part of the peoples of the region. The signing of the Sharm el-Sheikh agreement offered grounds for hope that the final status negotiations would lead to the hoped-for just settlement. Unfortunately, Israel was still engaging in its illegal practices, violating the rights of the Palestinian people and disregarding the terms of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, and consequently the peoples and authorities of the region had come to doubt that peace was attainable. His delegation hoped that the new Government of Israel, which had been given a clear mandate to reach a just and comprehensive peace, would fulfil the commitments it had assumed under existing agreements and would put an end to its practices and the consequences to which they led. Before peace could be attained, the Palestinian issue would have to be settled, and it was essential to find a just, comprehensive solution that would end the occupation in all its forms. Only then would the Palestinian people be able to exercise its right to self-determination in its own land and inaugurate a just, comprehensive and lasting peace based on the peaceful principles that had been agreed upon, for the benefit of future generations.

37. **Mr. Al-Hosani** (United Arab Emirates) noted that the recent turn of events in the context of the peace process had produced tangible results in the form of the Sharm el-Sheikh agreement. Despite that welcome development, the Israeli Government was continuing its policy of establishing Jewish settlements and confiscating Palestinian land, especially in East Jerusalem, in the area around Jerusalem, and in the Syrian Golan, and was still engaging in practices that adversely affected the human rights of the Palestinian people, with the result that in Jerusalem, the demographic, legal, cultural and historic situation was being altered. Those Israeli practices constituted flagrant violations of the relevant resolutions of the General Assembly and the Security Council, and contravened the provisions of agreements that had been signed between Palestinians and Israelis, as well as those of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, as had been reaffirmed at the Conference of the High Contracting Parties held in Geneva on 15 July 1999. It was most regrettable that the Special Committee was unable to visit the occupied territories to observe at first hand the actual human rights situation of the Palestinian and Syrian inhabitants.

38. His delegation, deeply committed as it was to the attainment of a comprehensive, just and lasting settlement, reaffirmed that territory could not legitimately be acquired by force. The international community in general, and the sponsors of the peace process in particular, should redouble their efforts to induce the Government of Israel to fulfil its international commitments, which were based on the principle of land for peace, with a view to the inauguration of peace in all its aspects. Only thus would stability, security, and sustainable economic and social development be attainable in the region.

The meeting rose at 4.45 p.m.

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Held at Headquarters, New York, on Wednesday, 13 October 1999, at 10 a.m.

Chairman: Mr. Zackheos ..... (Cyprus)

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Agenda item 89: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*)

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The meeting was called to order at 10.20 a.m.

Agenda item 89: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*) (A/54/73 and Add.1, A/54/181, A/54/182, A/54/183, A/54/184, A/54/185 and A/54/325)

1. **Mr. Osei** (Ghana) said that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/54/325), like the Special Committee's previous reports, gave information on the plight of the Palestinian people and other Arabs in the occupied territories resulting from the policies of the Israeli Government which were not in accord with internationally accepted standards in the field of human rights. He regretted that the views of the Israeli Government were not reflected in the report, but said that the information was no less credible given the wide variety of sources of information available to the Special Committee.

2. Linked to that issue was the lingering subject of the comprehensive settlement of the Middle East problem. His country reiterated its support for the inalienable right of the Palestinian people to establish an independent, sovereign State. Mr. Ehud Barak's victory in the elections in Israel had opened up new prospects for peace throughout the region. While applauding the bold initiative of the Israeli leader, soon after assuming office, to resume dialogue with the Palestinians, his country urged both sides to remain on course in their negotiations on the establishment of durable peace in the region. His delegation considered the concluding observations and recommendations of the Committee, particularly those in paragraphs 258, 260 and 264, to be very positive.

3. The Special Committee's reaffirmation of its recommendation of 1998 that the United Nations High Commissioner for Human Rights should take such measures as were appropriate, in consultation with the Secretary-General, to establish a system of continuous communication to improve the circumstances of the people of the occupied territories was significant in view of the need to reduce tension in the area and create a climate that was conducive to constructive dialogue. The international community had a duty in that regard to support the endeavours of the Commissioner for Human Rights to sustain the process of dialogue with the Israeli authorities.

4. **Mr. Wehbe** (Syrian Arab Republic) commended the contents of the report of the Special Committee (A/54/325) which set out reliable, objective and unprejudiced information. The report confirmed that the activities of the Special Committee had lost nothing of its relevance. Moreover, in the present circumstances, its significance was undoubtedly growing. Any attempt to weaken its role must be construed as an endeavour to distance Israel, which was continuing to commit gross violations of human rights, from criticism by the vigilant international community. In spite of General Assembly resolution 2443 (XXIII) of 19 December 1968, Israel continued to refuse to cooperate with the Special Committee; that was hardly surprising in view of the fact that the Special Committee provided the international community with truthful information on the situation in the occupied territories involving terror, the displacement of populations, the creation of settlements and the expropriation of land, water and other natural resources.

5. Israel was enacting laws and taking practical measures that were needed in order to ensure the annexation and Judaization of the occupied territories through settling them with people from various countries of the world. Despite the opinion of the international community, Israel was continuing to carry out the Judaization of the Golan Heights, to demolish towns, to destroy agricultural production and expel Syrians from their homes. All the displaced persons, who now numbered 130,000, were entitled to return to their homes without hindrance. Since the seizure of the Golan by Israel in 1967, 244 inhabited localities had been destroyed and the building of settlements, which now numbered 40, was continuing as before. In spite of resolutions and decisions proclaiming the principle of "land for peace", Israel was holding 96 per cent of the territories of the Golan. One example of the aggressive policy of Israel in the occupied territories was an incident involving five Syrian villages whose inhabitants had been deprived of access to water as a result of the building of settlements. It was to be noted that the Israeli authorities generally refused to issue permits to the local population for the drilling of new wells. Crippling taxes were imposed on the Arab population and the Israeli armed forces were deliberately destroying the environment.

6. Systematic violations of human rights were continuing in the form of torture, the closing of territories, the arbitrary detention of civilians in prisons and penitentiaries, and the illegal arrest and murder of Arabs. Same was also happening in other occupied territories, for example, the Palestinian territories, where Israel continued to conduct its policy against the Palestinian people and its recognized right to create its own State. Israel wanted a peace corresponding to

its own selfish political aspirations. Under cover of the rhetoric of peace-making, Israel was continuing its gross violations of the decisions of the international community by going ahead with the completion of the new settlements in the Golan. The Golan was an inseparable part of the Syrian Arab Republic and must be returned to its people. A declaration by the European Union of 27 August 1998 had called on Israel to put an end to the practice of building settlements in the Golan. Continuation of that policy cast doubt on whether Israel wanted to achieve a genuine peace. As the representatives of the Russian Federation, the United Kingdom and France had pointed out, the building of settlements was contrary to international law and damaged the peace process. That practice was clearly no part of the culture of peace to which the Minister for Foreign Affairs of Israel had spoken in his address to the General Assembly.

7. The illegal actions of Israel were also continuing in South Lebanon where there had also been massive violations of the rights of the Arab population. The international community was entitled to ask whether attacks, murders and the oppression of the local population were factors conducive to the peace process.

8. His country was firmly resolved to continue its efforts to achieve a genuine and just peace on the basis of the relevant resolutions of the Security Council and the principle of "land for peace". His country called on the international community to exert pressure on Israel in order to oblige it to return to real negotiations and to put an end to the policy it had been conducting in the Golan, South Lebanon and Palestine. Israel must confirm its declarations of its commitment to peace by the complete withdrawal of its forces from all Arab territories, which would be seen as a genuine display of good will.

9. **Mr. Najem** (Lebanon) said that the report of the Special Committee gave a full enough picture of Israeli activities in the occupied Arab territories. The occupation by Israel of the West Bank, the Gaza Strip and the Syrian Golan Heights since 1967, as well the occupation of South Lebanon and the Bekaa Valley since 1978, had been accompanied by flagrant violations of the norms of international law and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War. Those violations included unlawful confiscation of property, detention of civilians, torture, expulsions, demolition of the homes of participants in the resistance, closure of schools and universities, and roadblocks, as well as the continuation of the policy of annexation and expansion of settlements. Confiscation of land and collective punishment were also continuing, as was the practice of giving settlers permits to build houses on confiscated land, with homes being demolished on the pretext that they were constructed without the appropriate permit.

10. Currently, 20,000 persons were living in the Syrian Golan, whereas formerly, at the time of the occupation in 1967, 110,000 persons had lived there in 244 settlements. The Special Committee had noted the arbitrary measures taken by the occupation authorities against the Arab population: imposition of excessively high taxes, violation of the sanctity of the home, confiscation of property in cases of non-payment of taxes, prohibition of the sinking of wells by Arab inhabitants of the Golan, seizure of water sources, attempts to eliminate the Syrian identity of the population of the Golan and forced Judaization through the introduction in schools of Israeli curricula and the restriction of access to the Syrian mass media. In the western part of the Bekaa Valley, Israel also continued to violate the provisions of the Geneva Conventions and of Security Council resolution 425 (1978) of 19 March 1978 concerning the immediate and unconditional withdrawal of Israeli troops from Lebanon.

11. During the previous month, Israeli military aircraft had made more than 300 flights over southern Lebanon and the western part of the Bekaa Valley. The liberated areas in the south were continuously subjected to mortar fire, which had left 139 people dead and 110 injured. As a result of the land and sea bombardment, 28 homes had been destroyed and 83 damaged, as well as 60 schools and 54 mosques, proving yet again that Israel was continuing to pursue a policy of cruel repression and to flout the elementary norms of international law. It was important to note in that connection that various weapons prohibited under international law were being used by the Israeli forces against the population of southern Lebanon. Furthermore, in addition to those acts of aggression, Israel was seizing coastal areas and had forbidden fishermen from going about their business and earning a living.

12. In the light of those facts, the question arose as to whether Israel had really secured its borders. Israel must withdraw unconditionally from southern Lebanon, as stipulated in Security Council resolution 425 (1978) in its literal sense, rather than in the interpretation of the Israeli occupiers. In that connection, he asked how long the Israeli occupiers would flout international law, disregard the will of the international community and reject its resolutions.

13. **Mr. Shafi Sami** (Bangladesh) said that the report of the Special Committee was comprehensive and informative, and observed that in the occupied Palestinian and Arab territories Israel continued to pursue a policy of settlement, confiscation of land, closures, arrests, detention, torture and

denial of access to legal recourse. Such a policy systematically violated the relevant United Nations resolutions and international agreements and treaties, including the peace treaty on the principle of "land for peace" signed by Palestine and Israel in Oslo. The construction of settlements in Jebel Abu Ghneim and other occupied territories was undesirable and gave reason to doubt Israel's sincerity and its commitment to the peace process.

14. Foreign occupation in itself constituted a flagrant violation of human rights. Prolonged occupation only worsened the situation. During the period under review, Israel had continued systematically to violate human rights in the occupied territories and to pursue a policy of using force to suppress resistance against the occupation. Furthermore, actions by individuals were met with massive retaliation, which was supplemented by a well-planned campaign to demoralize the people of the occupied territories, particularly the Palestinians, with a view to perpetuating the illegal occupation under various pretexts.

15. Israel continued to conduct its policy of economic blockade and collective punishment. Often, Israel closed the Palestinian territories entirely, thereby obstructing the movement of persons and goods within the West Bank and the Gaza Strip, as well as in the self-rule area and Israel. Under the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in 1995, the West Bank and the Gaza Strip were regarded as constituting a single territorial unit. Israel, however, had failed to honour the terms of that agreement and was obstructing the implementation of infrastructure projects related to trade and other sectors with the aim of undermining the economy of the occupied territories, including the self-rule area.

16. Israeli settlement in the occupied territories had always been a source of tension. It appeared from the report of the Special Committee that 194 Israeli settlements had been established in the occupied Palestinian territories. In the West Bank and the Gaza Strip alone, the number of settlers had risen from 116,400 in 1993 to 175,000 in 1998. It was regrettable that, instead of freezing the construction of settlements and ultimately giving up the plan entirely, Israel continued to build new settlements, including one in Jebel Abu Ghneim in East Jerusalem. The completion of the settlement in Jebel Abu Ghneim would leave the Arab population of East Jerusalem encircled by Jewish settlements. That would have serious consequences in terms of the demographic composition of East Jerusalem.

17. The decision by Israel to expand the municipal boundaries of Jerusalem had been discussed in the Security Council in June 1998. The international community had urged Israel to refrain from implementing that decision, since such a plan would contribute to further growth of the Israeli population of the city, which already constituted the majority of the city's inhabitants. It should be noted that Israel's actions could create a situation that might explode at any time, resulting in significant loss of life among the Palestinian population.

18. The Israeli policy of confiscation of land and restriction of access to water resources, as well as the demolition of houses in the occupied Palestinian and Arab territories, including the Golan, would in no way bring peace to the region. His delegation strongly condemned the Israeli policy of systematic violation of basic human rights in the occupied territories and reminded Israel that, under the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and other relevant resolutions, it was obliged to guarantee the basic human rights of the people under its occupation.

19. In contravention of the Convention on the Rights of the Child, Israeli practices in the occupied Palestinian and other Arab territories were depriving children of their right to health, education, freedom of expression and play. In many instances, schoolchildren were unable to attend classes because they had to travel through Israeli settlements, where the inhabitants did not allow Palestinians the right of passage. The people and Government of Bangladesh were gravely concerned about Israeli practices in the occupied territories. They expressed their total solidarity with their Palestinian Arab brothers and considered that the crucial question facing the people under Israeli occupation was how to restore their human dignity, their right to personal property and their freedom in decision-making. He called on Israel to put an end immediately to its occupation of Palestine and other Arab territories and to cooperate fully with the Special Committee and allow it to investigate the situation of human rights in the occupied territories.

20. His delegation fully endorsed the recommendations of the Special Committee concerning the safeguarding of the basic human rights of the Palestinian people and other Arabs in the occupied territories and called upon the international community to continue its efforts to put an end to the Israeli occupation of Palestine and the other Arab territories.

21. **Mr. Ba-Isa** (Yemen) said it was unfortunate that Israel continued to deny the members of the Special Committee permission to visit the occupied territories to conduct an on-site investigation of the facts and to obtain more information

on the living conditions of the people under occupation. It was no longer possible to conceal the facts and the real situation; the whole world knew of the tragedy and suffering of the population of the occupied Arab territories. Although the occupying authorities had attempted to hide and distort the facts, the report of the Special Committee attested to the deterioration of the situation in the occupied territories, despite the talks being held on the prospects for the Middle East peace process. Israel continued to expand its unlawful settlements, expropriate land, take over water resources, demolish homes, change the demographic composition of the territories, especially Jerusalem, and make use of torture and collective punishment. Those actions were hardly conducive to confidence-building or indicative of the goodwill required to establish a normal climate for the negotiations and, ultimately, for the achievement of peace and stability.

22. In the occupied Syrian Golan and other Arab territories, Israel continued to commit unlawful acts such as human rights violations, attempts to change the national character of the territories, placement of landmines, refusal to allow family reunifications and adoption of harsh laws aimed at the establishment of absolute control, despite the positive developments taking place in the international sphere. Israel also resorted to similar measures in southern Lebanon. It should be noted that the Geneva Conventions were fully applicable to the occupied Arab territories, as confirmed by resolutions of the Security Council and the General Assembly. However, in the absence of an objective analysis and assessment of the real situation, it was not possible to clear up misconceptions and make progress. Individual States and the international community should take responsibility for ensuring that the resolutions which had been adopted were implemented, and should exert pressure on the occupying authorities to force them to comply with the provisions of international instruments. Otherwise, more victims and further suffering would inevitably result.

23. In conclusion, he underlined the importance of issuing documents on time so that delegations could review and comment on them.

24. **Mr. Dausá** (Cuba) said that, for the Government and people of Cuba, solidarity with the Palestinian people and with other Arabs living in similar situations was a matter of principle and took the form of unconditional support for all their legitimate and inalienable rights. In his delegation's view, the work of the Special Committee was increasingly important for the achievement of the objectives of peace in the Middle East and respect for the rights of the Palestinian people. His delegation regretted that the Israeli Government continued to deny the Special Committee access to the occupied territories, since that situation was undoubtedly detrimental to the Special Committee's work. At the current session, as in all previous years, the Special Committee had provided the General Assembly with evidence of violations of the most elemental human rights of the Palestinian people and other Arabs in the occupied territories, including Israeli policies of establishing settlements, confiscating land, closing territories, mistreating prisoners and revoking permits for residence in Jerusalem. His delegation renewed its demand for an end to such violations and full respect for all the rights of the Palestinian people.

25. Cuba, like the rest of the international community, aspired to find a solution to the problems in the Middle East and that would not be possible without a definitive settlement of the question of Palestine, as the cornerstone of such a solution. One of the most important issues in that connection was the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, adopted in 1949. The Security Council had repeatedly confirmed the applicability of that Convention to the occupied territories, including Jerusalem. On 15 July 1999, a Conference of the High Contracting Parties had been held to consider the Convention's applicability to the Palestinian territories. The participants in that Conference had not only reaffirmed the Convention's applicability, but also reiterated the need for compliance with all its provisions in the Palestinian territories under Israeli occupation.

26. The 1991 Madrid Peace Conference and the signing, by Israel and the Palestine Liberation Organization, of the Declaration of Principles in 1993 had raised hopes for peace in the Middle East. The subsequent signing of the Wye River Memorandum had revived those hopes, and for a moment the solution to the question of Palestine had seemed closer than ever before. However, countless obstacles had been put in the way of peace, such as the establishment of new settlements, the violation of Jerusalem's international status and violations of the human rights of the Palestinian people, which had again confirmed the Israeli authorities' reluctance to move forward with the Middle East peace process. On 4 September 1999, Yasser Arafat and the Israeli Prime Minister, Ehud Barak, had signed the Sharm el-Sheikh Memorandum, again raising hopes for progress in the peace process. However, his delegation was concerned to note that, despite the agreement, the Israeli Government continued to violate the rules of international humanitarian law in the occupied territories.

27. The international community hoped that Israel would not disappoint the hopes of the Palestinian people and other Arabs living in the occupied territories. In that connection,

the Special Committee should undoubtedly continue its mandate until a definitive solution to the question of Palestine had been achieved and the rights of the Palestinian people and other Arabs were fully realized. Until peace was achieved in the Middle East, the Arabs, in particular the Palestinian people, could count on the full support of the Cuban people.

28. **Mr. Lamdan** (Israel) said that the Special Committee's original mandate, adopted in 1968, only a year and a half after the 1967 Six-Day War, had been a product of its time. It should be recalled that Israel had not provoked that war; it had not sought to seize territories and it had used force only in self-defence. After the war, Israel had unsuccessfully tried to reach peace agreements with its Arab neighbours, but it had not been until 1991, a quarter of a century later, that the current peace process had been initiated in Madrid.

29. From the beginning, the Special Committee's mandate had been so biased against Israel that all fair-minded States had voted against it or abstained. Currently, as in the past, two of the three members of the Special Committee came from countries that refused to establish diplomatic relations with Israel, even though Israel maintained full relations with some 90 per cent of the States Members of the United Nations. Because the proponents of the original 1968 resolution had sought not dialogue, but diplomatic warfare, Israel had simply refrained from cooperating with the Special Committee.

30. The Special Committee had always taken a narrow-minded approach, as was shown by its reports, which hardly acknowledged that a serious peace process had been under way in the Middle East for the past eight years and that significant progress had been made towards the resolution of a long-standing territorial conflict. The most recent report, in particular, did not mention that Israel was currently in the process of redeploying in 40 per cent of the territories, that for the past three years 98 per cent of the Palestinians living in the territories had been under the control of the Palestinian Authority, that the territories were open, that over 100,000 Palestinians worked in Israel every day, that a road providing safe passage between the West Bank and the Gaza Strip would be opened the following week, or that commercial and other agreements had been concluded recently with the Palestinians. Similarly, it provided no information on the ongoing releases of Palestinian prisoners who had taken part in attacks on innocent Israeli citizens or, indeed, on the fact that, when Israel had regrettably been obliged to close the territories in the recent past, the cause had invariably been serious terrorist outrages in major cities, which had continued even after the signing of the Wye River Memorandum.

31. The report failed to note that the proportion of the Jewish majority in Jerusalem had remained roughly the same for the past two centuries and that, after 1948, the Golan Heights had been a large military encampment of 130,000 Syrian soldiers and a very insignificant number of Druze inhabitants living dangerously close to landmines laid by their own military. Even more importantly, the report did not mention that, on 4 September 1999, Israel and the Palestinians had pledged to try to agree on the principles of a permanent settlement of outstanding issues within five months, or that Israel's Prime Minister had promised to withdraw Israeli troops from Lebanon by the following summer. The High Court had recently taken a decision regarding the methods of interrogation of suspected terrorists, and the Cabinet Committee on Settlement Affairs had decided to eliminate unlawful settlements that had sprung up after the signing of the Wye River Memorandum.

32. It was therefore clear that the Special Committee did not serve any useful purpose and that its reports did not advance the cause of peace. Instead, it meddled in affairs that could only — and would only — be dealt with in direct negotiations between the parties to the conflict. At best, the Special Committee was redundant; at worst, it was harmful. Its existence discredited the Organization and undermined its credibility in matters related to the Arab-Israeli dispute. For the sake of peace in the Middle East, it should be disbanded.

33. **Mr. Al-Hajri** (Qatar) said that the inhuman Israeli practices with regard to the Arab population might make everyone realize the danger posed by Israel's violation of all norms of international law, international human rights instruments, including the fourth Geneva Convention, and resolutions of the international community. At the recent Conference of States parties to the fourth Geneva Convention, it was emphasized that the provisions of the Convention were fully applicable to Palestinian and other occupied Arab territories, including East Jerusalem, and must be unswervingly observed.

34. From the very outset of the peace process, Qatar had supported all efforts aimed at resolving the Middle East conflict, and condemned all attempts to undermine that process. Unfortunately, the practices which hampered the peace process continued even under the current Israeli Government. Continuation of that trend might put a complete stop to the peace process. Israel should heed the voice of the world community and cease violating the human rights of

the Palestinian people, as described in the report under consideration.

35. New hopes had been awakened by the agreement signed on 4 September 1999 in Sharm al-Sheikh. In that connection, it was astonishing to note from a report in the mass media that a new law had been adopted in Israel giving the settlers in the Syrian Arab Golan special privileges connected with living and building new settlements in that region. Israel must bear in mind that the continued building of new settlements might void the negotiations of any substance and lead the peace process into an impasse.

36. **Mr. Fadaifard** (Islamic Republic of Iran) said that the facts set forth in the report of the Special Committee (A/54/325) illustrated that the occupying Power was not only committed to its own undertakings but also constantly sought to consolidate its occupation through changes in the demographic composition of the occupied territories by creating faits accomplis. That had been an integral part of Israel's overall campaign to Judaize the occupied territories by changing their legal status, character and demographic composition. Unlawful policies and inhuman practices had not only been directed against the inhabitants of the occupied territories but also been conducted to perpetuate the status of 4 million Palestinians who lived in refugee camps under precarious conditions.

37. The living conditions in the occupied territories violated the fourth Geneva Convention, whose provisions were applicable to all the occupied territories. However, the occupying Power ignored completely and intentionally not only United Nations resolutions but also the consensus opinion of the international community. It was imperative that the occupying Power should accept the applicability of the fourth Geneva Convention to all the occupied territories and fully implement its provisions. The international community, for its part, should continue to monitor the human rights situation in the occupied territories. A comprehensive and just solution to the question of Palestine lay in the restoration of all the rights of the Palestinian people, including the return of all Palestinian refugees and displaced persons to their homeland, the full and free exercise of their right to self-determination and the liberation of all occupied territories.

38. **Mr. Tekaya** (Tunisia) said that his delegation had taken note of the report of the Special Committee (A/54/325), which confirmed that the occupying Power was continuing its practices and thereby violating the human rights of the Palestinian people and other Arabs. Those practices ran counter to the spirit and letter of international instruments, particularly the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, and also of resolutions of the United Nations. The report set forth alarming facts concerning the Israeli policy of colonization in the occupied Arab territories and the Syrian Arab Golan, including the confiscation of lands, the building of settlements, the change in the status of Jerusalem, and so on. In addition, the Israeli authorities continued their oppression of Palestinian citizens. The report indicated that the measures adopted by Israel had serious consequences for the lives of the Palestinian and Syrian population.

39. Tunisia wished to express its satisfaction at the signing of the Sharm al-Sheikh memorandum and the start made on implementing the Wye River Agreements. In that connection, he stressed the necessity that all parties should fulfil their commitments. The measures taken to build settlements contradicted the concept of peace. He recalled that the peace process was based on such principles as "land for peace" and respect for the commitments made in the Agreements. He hoped that the negotiations on the final status of Jerusalem would be successful and that the rights of the Palestinian people, especially their right to establish an independent State, would be fully realized. Tunisia hoped that the negotiations would be resumed on all tracks, including those where movement had stopped. Israel must, pursuant to United Nations resolutions, fully and unconditionally withdraw from South Lebanon and the Syrian Arab Golan.

40. **Ms. Nasser** (Observer for Palestine), speaking in exercise of the right of reply, referred to certain comments made by the delegation of Israel and also to the appeals to curtail the work of the Special Committee. That Committee had been mandated to investigate the policies and practices of Israel until such time as the Israeli occupation had been brought to an end. There was no question that the occupation was continuing and that the human rights of the Palestinian people were, as in the past, being grossly violated. Consequently, the Committee must continue its work. Unfortunately, the peace process had not put an end to the occupation and to the other violations committed by Israel. That process required far-reaching changes in the position not of the international community but of Israel itself, including its recognition of the applicability of the fourth Geneva Convention, and also its cessation of all work on the construction of settlements. In other words, Israel must change its attitude towards the norms of international law, and only then would peace in the region become a reality. It was to be regretted that Israel had falsified the facts relating to Jerusalem. It was well known that the Israeli policy with regard to Jerusalem over many years had been aimed at changing its demographic composition for the

benefit of Israel. The Palestinian territories, including Jerusalem, were still under occupation. Israel's affirmation that the majority of Palestinians were not living under conditions of occupation did not correspond to reality and testified to Israel's intention to establish a system of apartheid. That was totally unacceptable and the occupation must be brought to an end.

41. **Mr. Mekdad** (Syrian Arab Republic), speaking in exercise of the right of reply, said that the statement by the representative of Israel was yet another attempt to misrepresent the facts and to confuse the Organization. It was also an attempt to cast aspersions on the conscientious work done by the Special Committee.

42. As far as the Syrian Golan was concerned, its demographic composition had always reflected the composition of Syria as a whole. Israel had always claimed that, when the Israelis had arrived in Palestine, it had been unpopulated; that was not true. After occupying Palestine, Israel was trying to perpetuate the occupation of Syrian territory. Syrian Arabs in the Golan did not want to lose their Arab identity and rejected attempts to make them into Israelis. In addition, the Israeli Government had referred to the Syrian military presence in the Golan, but Syria had every right to deploy its forces on its own territory, unlike the Israelis, who were deploying their forces outside their territory. Documents in the United Nations archives showed that Israel had repeatedly committed acts of aggression against Syria prior to June 1967.

43. Syria had opened the door to the peace process in the Middle East and chosen peace as a strategy. However, Israel was obstructing that process by its policies in Syria and Lebanon. The statements by the new head of the Israeli Government belied the actual situation in the area, as could be seen from reports in the mass media. In addition, Israel's acts of aggression against southern Lebanon were on the increase. Israel would not be able to achieve the peace which it sought by those means.

44. Lastly, the representative of Israel had stated that the Special Committee's reports discredited the United Nations. In fact, the decline in the Organization's authority was attributable not to the Special Committee but to those who were occupying other people's lands, violating human rights and adopting a policy of repression and terrorism. Syria was ready to resume the peace process at the point at wh[illegible] had been stalled and, if Israel really wanted peace, it [illegible]uld follow suit.

45. **Mr. Zaki** (Egypt), referring to the time of the 1967 war, said that Israel's statements were inaccurate. The truth was that Israel had planned that war, which had pursued a number of goals. In the case of Egypt, the goal had been land for peace; in the case of Syria, it had been control of a strategic military region; and in the case of East Jerusalem, it had been to try once and for all to bury the issue of Palestine and to annex its territory under British mandate. Egypt regretted that Israel had forced it to raise that issue, but it would repeat those explanations each year, regardless of the status of the peace process.

46. **Mr. Najem** (Lebanon) said that his delegation had every confidence in the Special Committee and favoured the continuation of its work. He was surprised that the representative of the occupying regime had paid no heed to the critical comments of the international community and the United Nations. That representative had asserted that Israel was not practising repressing in Gaza and the West Bank, or in East Jerusalem. In fact, a very real occupation was occurring and an army was seizing other people's land. As regards southern Lebanon, the occupiers' policy there had changed: instead of deploying armed forces there, they were carrying out daily overflights, about which details were given in the reports of the United Nations Interim Force in Lebanon (UNIFIL). Thus Lebanon was still occupied and it would actively struggle until all its lands had been returned to it.

47. **Mr. Lamdan** (Israel), speaking in exercise of the right of reply, said that in their statements certain members of the Committee were ignoring the fact that at present Israel, together with other countries, was participating in the peace process. Without wishing to embark on a discussion of a historical character, he nevertheless recalled that, as the Syrian representative himself had stated, there had at one time been 130,000 Syrian soldiers in the Golan Heights, whose weapons had been aimed at Israel. It should not be forgotten that it was Egyptian President Nasser who in 1967 had given the United Nations Emergency Force (UNEF) 24 hours to leave the Sinai peninsula.

48. In his view, the Special Committee was becoming an anachronism, owing to the one-sided nature of its mandate. The task of the Special Committee should be to ensure respect for the human rights of the Palestinian people, but it was still concerned only with the violation of the Palestinians' rights by Israel and paid no attention to the Palestinian Authority's approach to the observance of human rights. According to article 19 of the 1994 Cairo agreement, it was the Palestinian Authority which had assumed responsibility for guaranteeing the rights of 98 per cent of the Palestinians. The achievements of the Palestinian Authority in the area of the defence of human rights were unfortunately highly questionable. In the territory under its control, there were arbitrary arrests, summary judicial

procedures and virtually no freedom of speech. In the preceding three years, dozens of inmates of Palestinian prisons had died while being interrogated. In order to remain relevant, the Special Committee must also devote attention to cases of violations of human rights by the Palestinian Authority.

49. The work of the Special Committee had lost any real significance, because in fact the fate of the peace process would be decided at the direct negotiations between the interested parties on the basis of Security Council resolutions 242 (1967) and 338 (1973). He took the opportunity to urge the Syrian Arab Republic and Lebanon to join those negotiations. The problem with the implementation of Security Council resolution 245 (1968) existed only because the Lebanese side did not want to sit at the negotiating table with Israel. As far as the "culture of peace" was concerned, the Arab States and the Palestinian authorities had no right to speak of peace at the negotiating table at the same time as they were waging a diplomatic war against Israel on various levels, including within the Special Committee and other committees of the General Assembly.

50. **Mr. Mekdad** (Syrian Arab Republic), speaking in exercise of the right of reply, said that his delegation was unable to change its approach in the context of the work of the Special Committee so long as Israel continued to commit the same crimes and violations, despite the ongoing peace process. That was quite clearly illustrated by the facts related in the report of the Special Committee. Not only the Special Committee but also the mass media throughout the world were reporting the cruel repressions of Arabs by Israel. There had been an error in the interpretation of the statement by the representative of the Syrian Arab Republic, which had led to a misunderstanding: the reference had been to 130,000 civilians, not 130,000 soldiers. Apparently, instead of confining himself to the facts, the representative of Israel was trying to use the mistake to further his own interests. It was well known that, if it had not been for the actions of the Israeli forces in the Arab territories, including Palestine, the Syrian Arab Republic would not have been obliged in turn to use troops.

51. The Special Committee had taken into consideration all the facts and circumstances relating to the current turn of events. However, the most important circumstance remained unchanged: the continuing Israeli occupation. Could it have been expected that the Special Committee would announce that the occupation and violations of human rights had ceased? Obviously it was only if that occurred that the representative of Israel would approve the Special Committee's conclusions and advocate the continuation of its mandate. He again emphasized that Syria was the party which had jump-started the peace process, and that was well known to the entire international community. His country expected the new Israeli administration fully to comply with all the obligations assumed by Israel in the context of the previous negotiations. However, the Israeli administration was hampering the development of the peace process by laying down preconditions. The Syrian Arab Republic again emphasized that the concept of a "culture of peace" was incompatible with the continuation of the Israeli occupation, aggression and human rights violations. Peace would not be established in the Middle East until Israel departed from the territories of the Syrian Arab Republic, Palestine and southern Lebanon, since peace in occupation conditions was impossible.

52. **Mr. Najem** (Lebanon), speaking in exercise of the right of reply, said that Israel must fulfil its obligations and leave southern Lebanon without any preliminary conditions. Despite its pro-peace statements, Israel was continuing to conduct military operations against Lebanon, including bombardment from the air and shelling from the sea. Referring to Israel's military force, he said that force was no guarantee of victory or of the attainment of peace on favourable terms. Only strict observance of the Security Council resolutions reflecting the will of the international community could guarantee the achievement of genuine peace in the Middle East.

53. **Mr. Lamdan** (Israel), speaking in exercise of the right of reply, said that it would be inappropriate to continue the argument.

54. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 89.

The meeting rose at 12.55 p.m.

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Summary record of the 10th meeting
Held at Headquarters, New York, on Monday, 18 October 1999, at 10 a.m.

Chairman: Mr. Zackheos ..... (Cyprus)

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99-81662 (E)

The meeting was called to order at 10.15 a.m.

Tribute to the memory of Julius Nyerere and of United Nations staff members killed in Burundi and Kosovo

1. *At the invitation of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of the first President of the United Republic of Tanzania, Mr. Julius Nyerere, and to the United Nations staff members killed in Burundi and Kosovo.*

Agenda item 90: Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/54/63-S/1999/171, A/54/87, A/C.4/54/L.2*)

2. **Mr. Zaki** (Egypt), speaking as Rapporteur of the Special Committee on Peacekeeping Operations, introduced the report of the Special Committee (A/54/87) and said that the Special Committee considered it essential for the United Nations to be in a position to maintain international peace and security effectively, in particular by effective planning and management of peacekeeping operations and by responding quickly and effectively to any Security Council mandate. Since the end of the cold war, the number of complex peacekeeping operations had increased. In that regard, the Special Committee had stressed the importance of an effective, efficiently structured and adequately staffed Department of Peacekeeping Operations. It had also stressed the importance of consistently applying the principles and standards it had established for the deployment and conduct of peacekeeping operations.

3. On the issue of consultations between troop-contributing countries, the Security Council and the Secretariat, the Special Committee again recommended that steps should be taken to ensure rigorous, timely and systematic implementation of the current arrangements, which did not preclude the possibility of consultations in other forms.

4. In the personnel area, the Special Committee had reaffirmed that all provisions of Articles 100 and 101 of the Charter of the United Nations must be fully and strictly observed in the management and conduct of peacekeeping operations. It had stressed the importance of carefully selecting and preparing senior military commanders, police commissioners and key staff personnel before their deployment to a peacekeeping operation.

5. In the section of the report on organization, planning and coordination, the Special Committee noted the importance of early planning and regular coordination for peacekeeping operations. It also reiterated the importance of exercising transparency in selecting troop contributors, in particular in the use of the United Nations standby arrangements system. The Special Committee had again stressed the importance of timely, efficient, transparent and cost-effective procurement of goods and services in support of peacekeeping operations and welcomed the progress achieved in developing a flexible and comprehensive logistic strategy for peacekeeping operations.

6. In the section on safety and security, the Special Committee expressed its grave concern at the growing number of attacks and acts of violence against United Nations and associated personnel. In that connection, it had emphasized the role of effective public information in enhancing personnel safety and the need for peacekeeping forces to be properly configured and discrepancies between mandates and resources to be avoided.

7. In recognition of the growing role of civilian police in peacekeeping operations, the Special Committee supported the Secretariat's efforts to follow up the Civilian Police Seminars and to coordinate further initiatives in that area. It also reaffirmed the need to strengthen the Civilian Police Unit within the Department of Peacekeeping Operations.

8. The Special Committee had noted that the United Nations rapid deployment capability was a comprehensive concept that included many elements and called upon all Member States that had subscribed to the standby arrangements system to initiate, in collaboration with the Secretariat, development of applicable contingent-owned equipment memoranda of understanding.

9. The Special Committee had stressed that all Member States must pay their assessed contributions in full, on time and without conditions. Also, it had expressed deep concern at the delay in reimbursements to troop contributors, and encouraged the Secretariat to process the backlog of claims expeditiously.

10. One section of the report was devoted to cooperation with regional arrangements. Bearing in mind the primacy of the United Nations in the maintenance of international peace and security, the Special Committee reaffirmed the important contribution that regional arrangements and agencies could make to peacekeeping in accordance with Chapter VII of the Charter. In that regard, the Special Committee had stressed that international efforts to enhance the collective capacity of African countries to participate in peacekeeping operations should focus first and foremost on enhancing the institutional capacity of the Organization of African Unity (OAU).

11. The Special Committee had come to the conclusion that its relationship with the General Assembly needed to be enhanced so as to improve the efficiency of the work of the Special Committee and allow for closer consultations with the Secretariat on peacekeeping issues. In that connection, the Special Committee had requested that its report should be circulated in official form no later than four weeks after the completion of its substantive session. The deliberations on the item on peacekeeping in the Fourth Committee during the following regular session of the General Assembly would begin with a presentation by the Under-Secretary-General for Peacekeeping Operations on the implementation of the Special Committee's recommendations, followed by an informal exchange of views between the members of the Fourth Committee and the Secretariat on the substance of the Under-Secretary-General's briefing. Member States would then have the opportunity to participate in a general debate in the Fourth Committee on peacekeeping issues.

12. **Mr. Miyet** (Under-Secretary-General for Peacekeeping Operations), reviewing the activities of the Department of Peacekeeping Operations in 1999, noted that peacekeeping operations remained an effective means of dealing with the crises occurring in various parts of the world. Although there was no doubt that other mechanisms, forums and organizations must be sought, the recent events in Kosovo, East Timor, the Democratic Republic of the Congo and Sierra Leone had reaffirmed the urgency and importance of the peacemaking activities of the United Nations and its key role in the international community's efforts to advance the peace. Over the past 12 months, the scale of the Organization's work in that area had expanded significantly. Some of the most important events had been the deployment of two operations that were unprecedented in scale, in Kosovo and East Timor; the preparations to begin a massive operation in the Democratic Republic of the Congo; and the substantial expansion of the operation in Sierra Leone.

13. It was now becoming increasingly clear that the United Nations remained the key mechanism for reconciling the most divergent views and managing operations, whose mandates could be supported by all interested parties. Regional organizations and international forces could in many cases play an important role in the international community's efforts, and the United Nations welcomed their participation and cooperation in peacemaking activities. At the same time, when major crises arose, so did the need for broader political and material support, which could be provided only through the United Nations.

14. The United Nations currently had 18 peacekeeping operations under way, involving approximately 14,000 troops, military observers and civilian police, who were taking on new, often unprecedented tasks. The deployment of 4,500 police in Kosovo, 6,000 peacekeepers in Sierra Leone and 9,000 to 16,000 troops and civilian police in East Timor, together with hundreds of civilian administrators, meant that the total number of peacekeepers would more than double within the next six months. The United Nations peacekeepers serving with dedication and courage, often at risk to their lives, deserved profound gratitude, as did Member States which had made their personnel available, even though the United Nations had unfortunately not always been able to ensure their swift reimbursement. Their readiness to make such sacrifices testified to their commitment to the goals of the Charter of the United Nations.

15. Briefly summarizing the achievements over the past year and highlighting some specific new demands on the Department, he said that the United Nations had played a key role in supporting the successful consultation process in East Timor and, through its continuous presence in the area, had prevented the further development of the tragic events. Currently, the United Nations was seeking to address the immediate needs of the population of East Timor, and to ensure a smooth transition to a United Nations peacekeeping presence. Preparations were being made for the deployment of the United Nations Transitional Administration in East Timor (UNTAET), which, like the administration in Kosovo, would have wide-ranging responsibilities.

16. There was a large United Nations presence in Kosovo, where the European Union and the Organization for Security and Cooperation in Europe were cooperating in reconstruction, rehabilitation and institution-building, both those organizations operating under the authority of the Special Representative. At the same time, there continued to be close cooperation with the international military forces responsible for security in Kosovo.

17. In Sierra Leone the international community was working to expand its support for the peace process in that country and it was envisaged that the new United Nations Mission in Sierra Leone (UNAMSIL) would include political and civil components that would assist in the implementation of the Lomé Peace Agreement; elements that would promote human rights and the protection of children; and a 6,000-strong military component that would assist the Government in carrying out its programme of disarmament and demobilization and create the necessary conditions of confidence and stability. There would also be civilian police to advise upon and monitor the reform and restructuring of the Sierra Leone police force. The United Nations would receive crucial assistance in its efforts from the Ceasefire Monitoring Group of the Economic Community of West

African States (ECOMOG), which would provide a large contingent of troops and would continue to play an essential role in providing protection and security.

18. At the same time, two further operations were being planned in Africa. An initial deployment of liaison officers had already been undertaken in the Democratic Republic of the Congo and in the capitals of countries that had signed the Lusaka Agreement and ways in which the United Nations presence could be expanded to support efforts to implement the peace agreements were under review. The Organization was also ready, if necessary, to participate in efforts to promote peace along the border between Ethiopia and Eritrea.

19. Two United Nations operations were nearing the successful conclusion of their tasks. The United Nations Civilian Police Mission in Haiti (MIPONUH), building on the legacy of earlier operations, was promoting the creation of a professional police force. The United Nations peacekeeping presence had enabled the Haitian people and Government to establish foundations for progress; the realization of those plans would depend on the political will of the country's leaders. The United Nations Mission in the Central African Republic (MINURCA) had assisted with the organization of presidential elections the previous month, having previously supported legislative elections in 1998. The operation, carried out in close cooperation with international financial institutions, had helped to promote political and financial stability within the country, to strengthen local and regional security and to provide space for reconciliation and economic recovery.

20. It should be noted that, in the case of a number of recently established or expanded missions, the Organization had had very limited time to prepare. In the Central African Republic, in East Timor, in Kosovo and elsewhere the United Nations had been asked to address increasingly complex needs in planning, deployment and support within constantly shorter periods of time. In Kosovo, 2,000 civilian police and an administrative component had been successfully deployed in record time. Events had followed a similar course in East Timor, where only the dynamism and dedication of United Nations staff had made it possible to set up a wide-ranging operation with practically no preparation.

21. As its workload had surged dramatically, the Department had experienced difficulties, particularly in dealing with longer-term requirements. In its report, the Special Committee had urged the Secretariat to continue its efforts to develop the Organization's ability to make use of civilian police in peacekeeping operations. In that context, at the end of July 1999 the Department had convened a follow-up workshop on civilian police at United Nations Headquarters, in which all Member States had been invited to participate. The report on the seminar, which had been circulated to all Member States, had emphasized the need to ensure that officers deployed in the field possessed the necessary professional training, to increase logistical support, and to ensure closer cooperation between the Secretariat and Member States. It had been suggested that the Secretariat should work to develop the representation of police within standby arrangements. In that context he noted with satisfaction that over the past 12 months the civilian police participation in standby arrangements had risen from 1,300 to approximately 2,200 and that further increases were expected by the end of the year. Unfortunately, that progress had been dwarfed by the massive increase in requirements associated with the new operations; total police deployment was expected to reach 9,500 by the end of the year. It had also been urged that the Organization should be more specific about its recruiting needs for participation in missions; the more detailed recruitment system being developed for the operations in Bosnia and Herzegovina and in Kosovo might serve as a prototype in that regard. It had been further suggested that the Department should coordinate the organization of strategy discussions and training seminars.

22. With regard to material needs, the Secretary-General had described the problem in detail in his statement to the Fifth Committee in October 1999, in which he had outlined efforts to streamline procedures and cited the need for adequate resources. The rapid depletion of standby equipment at the United Nations Logistics Base in Brindisi during the recent deployment of peacekeeping operations had highlighted the pertinence of that issue. In terms of personnel, it should be noted that the new operations deployed by the United Nations had drawn on specialists in many fields that had not traditionally formed part of peacekeeping operations, including judges and prosecutors, civil engineers and civilian administrators. There was also a pressing need for specialists in public information, since peacekeeping operations had to reach out to the general public to explain their complex roles. It might be helpful to expand the standby arrangements system by including military experts in such areas as law, public information or engineering. The Department had also begun to register civilian personnel; it might be useful to pursue the further development of rosters of civilian administrators, either within the United Nations database or within corresponding national systems.

23. The Department welcomed the entry into force of the Convention on the Safety of United Nations and Associated Personnel and was grateful for the Special Committee's efforts to focus attention on that issue, *inter alia* by urging Member States which had not yet done so to consider becoming parties to the Convention (A/54/87, para. 88). At the same time, like the Special Committee, the Department believed that more needed to be done, especially in the light of the series of attacks on United Nations peacekeeping personnel, most recently in Sierra Leone, East Timor, Kosovo, Georgia and Burundi. The Department would give particular consideration to that issue in the context of its ongoing study of the nature and frequency of attacks on peacekeepers and related personnel. He hoped that the study would facilitate further dialogue with and among Member States on measures that could be taken.

24. In its report, the Special Committee focused not only on practical needs, but also on the doctrinal underpinnings of United Nations peacekeeping. Accordingly, it had requested the Secretariat to finalize, as soon as possible, guidelines on the observance by peacekeepers of international humanitarian law. As the Fourth Committee was aware, those guidelines had been issued on 6 August 1999 in the Secretary-General's bulletin ST/SGB/1999/13. Their issuance had followed lengthy discussions within the Secretariat, between the Secretariat and the International Committee of the Red Cross and between the Secretariat and Member States. The draft text that had resulted from that process had been circulated to Member States at the end of June. Subsequently, the Office of Legal Affairs and the Department of Peacekeeping Operations had convened a meeting for a final exchange of views on the text. After the meeting, several Member States had provided comments which, in many cases, had proved useful for finalizing the text. Although the document was not an exhaustive list of the principles of international humanitarian law and would not replace the regulations applicable to military contingents under their national laws, it could be of real assistance in clarifying the application of international humanitarian law to United Nations forces and operations.

25. The Special Committee had also drawn attention to the need to cooperate with regional partners and, in that context, to the importance of efforts to enhance the peacekeeping capacity of the African countries. In that connection, the Department welcomed the organization, by the Security Council, of a ministerial meeting on 29 September to consider cooperation with Africa. Together with the Organization of African Unity (OAU), the Department had organized, early in the year, a third high-level meeting on the enhancement of African peacekeeping capacity. In line with the decisions taken at that meeting, the Secretariat was currently facilitating consultations among Member States on the establishment of a working group to serve as a forum for regular exchanges of views, coordination of activities and increased cooperation. The Secretariat was also continuing its direct involvement in training and capacity-building activities for African States and its support for bilateral cooperation with them. It was important to note that 21 African countries were currently participating in United Nations operations, not only in Africa, but also in Europe, Asia and the Americas. Ultimately, by strengthening the capacity of African States to participate in peacekeeping operations, the international community could enhance the Organization's ability to promote world peace.

26. The Special Committee's report also dealt with a number of management-related questions on which the Secretariat had been active over the past year. With regard to gender balance, the Department had analysed the replies received from troop-contributing countries to a questionnaire on the role and status of women in their military services and civilian police forces, which had provided a clearer picture of the capacity of troop contributors to provide female personnel. The Department intended to continue to take steps to improve gender balance in peacekeeping operations while simultaneously promoting geographical balance. Once again, he urged Member States to nominate women for leadership posts in peacekeeping missions. At the same time, the Department would seek to improve gender balance among its unit chiefs at Headquarters; in that connection, he was pleased to announce the appointment of an exceptionally well-qualified female candidate as the head of the Department's Training Unit. In addition, the Department had undertaken a three-month programme of gender mainstreaming training for all staff of the Department working at Headquarters.

27. The new structure of the Department had largely been put in place. Although the initial results of the restructuring had been favourable, the staffing situation had worsened considerably over the past year. As the Fourth Committee was aware, the phasing out of gratis personnel had been completed by the scheduled deadline of February 1999, after which the total number of posts in the Department had been reduced. Unfortunately, that decision had coincided with a dramatic rise in peacekeeping activity, with the result that what had been intended as a lean and efficient staffing arrangement had become untenable in practice. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) had noted that the Secretariat could request additional resources if the need arose and, accordingly, the Department was currently preparing a

request for supplementary posts. However, the process of requesting and obtaining posts and recruiting suitable candidates was a protracted one, and the Secretariat could not predict what its peacekeeping needs would be at a given moment. It was therefore imperative that capacity and flexibility should be built into the manner in which the Department operated.

28. Partnership between the Secretariat and Member States was crucial to ensuring that the mandates of peacekeeping operations were feasible, consistent and fully supported with material resources. The Secretariat was responsible for providing timely and reliable information and elaborating options for action, with full regard for the principle that activities to preserve peace and security in all parts of the world were of equal concern to the international community. At the same time, Member States must be prepared to act, to ensure that the preparation and conduct of peacekeeping operations were consistent and to provide material and political support for the operations they established. All Member States were equally responsible for fulfilling the mandate of any United Nations peacekeeping operation. If Member States asked the United Nations to do the impossible, failed to provide the necessary tools or abandoned the Organization in its hour of need, an instrument of great potential would be lost. Partnership between the Secretariat and Member States was not confined to the conduct of individual operations, but took the form of ongoing collaboration in the management of peacekeeping activities, in which Member States and the Secretariat had complementary roles to play.

29. The Secretariat was responsible for providing executive direction and management of operations in the field. Transparency and consultation were essential, but the need to uphold those principles could not be used to justify inaction. As the Secretary-General had noted in his address to the Fifth Committee, the Secretariat respected the General Assembly's right to legislate, but, in turn, the effectiveness of the Secretariat's work depended on the extent to which Member States respected its prerogatives in the area of management. United Nations peacekeeping operations would continue to be a unique and irreplaceable instrument that should be strengthened and preserved for future generations.

30. **Mr. Haekkerup** (Denmark) said that his delegation associated itself with the statement made on behalf of the European Union. If the United Nations was to carry out its peacekeeping activities effectively, it must be provided with adequate resources. The provision of human and financial resources was the Achilles heel of peacekeeping. The current year had been a particularly turbulent one in that regard for the Department of Peacekeeping Operations, which had lost valuable expertise and continuity in key positions as a result of a 20 per cent cut in manpower resources. His delegation called upon Member States to translate the political support they had expressed in the Fourth Committee into corresponding financial decisions in the Fifth Committee. Resources were understood to include more than just financial means; the United Nations also needed well-trained and well-equipped peacekeepers. Currently, there were only three people in the Training Unit. Much more emphasis should be placed on that issue. It was important that as many countries as possible should participate in peacekeeping operations, since the settlement of crises was a responsibility of the entire international community.

31. The standby system could be more focused and efficient. On paper the United Nations had more than 140,000 troops at its disposal but experience from past and recent operations showed that that was not a reality. As a first step towards making the standby system more operational, the United Nations could start a more active dialogue concerning individual troop contributions. The organization could also look more systematically at improving the police component of the system.

32. His country welcomed the efforts to establish the rapidly deployable mission headquarters (RDMHQ) but, with the increasing number of missions, it was possible that an additional RDMHQ would be needed in order rapidly to deploy to a new second mission.

33. Looking back at recent developments, his delegation wished to compliment the Department of Peacekeeping Operations on the progress achieved in the area of public information in the context of peacekeeping missions. The effective employment of public information must be an integral part of any peacekeeping operation since it played a key role in the battle for the hearts and minds of people in the mission area and was of great importance for the safety and security of the personnel, as well as being an important tool in the post-conflict peace-building phase.

34. His country noted the progress in the field of logistics but urged that resources be found for the additional necessary start-up kits. It was also gratifying to note that important lessons that had been learned from past operations were incorporated into new ones; that should be part of the routine procedures when considering new missions.

35. Early warning was a necessary condition for effective preventive action. If preventive action were taken more seriously that would help to reduce the number of wars and the consequential human suffering. In that connection, the Secretary-General was to be commended on his use of special envoys and on his quiet diplomacy. Early warning

needed to be accompanied by efficient contingency planning, the United Nations could not wait for decisions by the Security Council before making a start on operational and logistics planning for a potential operation.

36. Peacekeeping was a global responsibility which should not be farmed out to regional organizations. However, assistance to and cooperation with regional organizations could be very effective in conflict prevention and assist in building peacekeeping capacities for use jointly with the United Nations.

37. His country was supporting the efforts of the countries of the Southern African Development Community (SADC) to develop their own peacekeeping capacity, as well as a capacity for conflict prevention. It was assisting in building up a regional training centre in Harare and had shared experience in preparing for international missions with ministers from the member countries of SADC. His country fully supported the efforts of the Secretary-General to coordinate training for peacekeeping, capacity-building and the establishment of an early-warning system. That would enable the African countries to create their own conflict resolution capacity.

38. Over the years, the United Nations had achieved impressive results but the strengthening of peace still required further hard work; the more proactive was the approach of the international community, the smaller would be the resources needed. Peacekeeping was not the solution, but a means to an end.

39. His country had consistently supported the United Nations with manpower, financing, political support and new thinking, and intended to continue to do so.

40. **Ms. Rasi** (Finland), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, and, in addition, Iceland, expressed appreciation to the Special Committee on Peacekeeping Operations for the work it had done, drawing particular attention to the agreement on the reform of the Special Committee's working methods which would add new dynamism to its work in 2000.

41. Following a period of reduced activity, United Nations peacekeeping activities were once again on the increase. The Organization had been entrusted with new and extremely challenging tasks in Kosovo and East Timor and was likely to strengthen its peacekeeping presence in Africa. The European Union reiterated its strong commitment to the role of the United Nations in the maintenance of international peace and security and had demonstrated that commitment in practical terms: in August 1999, one third of the civilian police and over a quarter of the troops serving in peacekeeping missions were citizens of the European Union and its financial contributions represented almost 40 per cent of the United Nations peacekeeping budget.

42. The events of the past few months had obliged the membership of the Organization and the Secretariat to consider how the capacity of the Organization could be strengthened and how to provide adequate collective resources to meet present and future challenges. The European Union had repeatedly supported the maintenance of the capacity of the Department of Peacekeeping Operations to deploy and manage such operations, irrespective of their number and size. Unfortunately, there had been a 20 per cent decrease in the personnel of the Department during the previous year. In the view of the European Union, the Department would be unable, at present staffing levels, to meet the new challenges presented to it by the Organization.

43. In the past few years, peacekeeping operations had become increasingly multidimensional. In order to plan, deploy and manage the increasing number of multidimensional missions, the Department needed to be adequately structured and staffed. At the same time, it should coordinate and cooperate with United Nations agencies, other international organizations and Member States, thereby making possible an improvement in the coordination of human rights tasks, integrating a gender perspective into peacekeeping operations as well as drawing attention to the rights of children in armed conflicts.

44. The European Union believed that the planning and deployment of new large-scale, multidimensional operations required, above all, greater professional expertise among military personnel and the civilian police forces.

45. The streamlining of the structure of the Department would have only a limited impact in terms of the rationalization of resources, and in that connection the European Union looked forward to a request from the Secretariat concerning adequate staffing levels to be presented for consideration by the relevant organs. Addressing that problem would enhance the safety and security of peacekeeping personnel, the quality and effectiveness of peacekeeping operations, and ultimately the willingness of Member States to contribute to such activities.

46. Another means of strengthening the peacekeeping capacity of the United Nations would be to enhance its rapid deployment capacity, a central element of which were the standby arrangements. The European Union reaffirmed its strong support for those arrangements and looked for their

further improvement. Recalling that the Organization was not in a position to deploy Headquarters personnel to the theatre of operations, she considered that complete staffing of the rapidly deployable mission headquarters (RDMHQ) without delay was a priority and was vital for the credibility of the concept of United Nations peacekeeping.

47. The demand for civilian police was increasing significantly and it would become ever more difficult to provide the numbers required while preserving the quality and respecting the principle of broad geographical distribution. The European Union considered it essential to think creatively in order to tackle that problem and called on all Member States and the Secretariat to share ideas in that connection, always keeping in mind the requirements for high standards in the training and performance of police officers together with the importance of studying the question of how to develop rapid civilian police deployment capacities.

48. Turning to the financial situation, he said that the new peacekeeping mandates made it even more imperative that Member States should fulfil all their financial obligations to the Organization. Peacekeeping was an activity where shared commitments had to be translated into willingness to provide sufficient resources.

49. With regard to the guidelines for peacekeepers on humanitarian law, the European Union regretted the way in which the Secretariat had carried out the consultations prior to their publication. Nevertheless the European Union was considering those guidelines and believed it was important that they should accurately reflect the provisions of international humanitarian law.

50. Finally, he paid tribute to those who had lost their lives while serving in United Nations peacekeeping activities, most recently in Kosovo and Burundi. The European Union was outraged at the hostage-taking of United Nations and other international personnel, and was adamant that the safety and security of peacekeeping personnel had to be one of the top priorities for the United Nations and its Member States.

51. **Prince Zeid Ra'ad Zeid Al-Hussein** (Jordan), speaking on behalf of the Non-Aligned Movement, said that the Movement had always believed that peacekeeping operations should conform strictly to the guiding principles, as contained in paragraphs 48 to 53 of the report of the Special Committee (A/54/87), including the consent of the parties, the non-use of force except in self-defence, and impartiality. Moreover, the success of any mission depended on clearly defined mandates and secure financing.

52. While peacekeeping was an important instrument for the maintenance of international peace and security, it could not be a substitute for a permanent solution, or for addressing the underlying causes of a conflict. Peacekeeping operations had their greatest value as a temporary measure contributing to a ceasefire or a cessation of hostilities, and provided an atmosphere conducive to the pursuit, through other peaceful means, of an end to the conflict.

53. The Non-Aligned Movement believed that the issue of "humanitarian intervention" should be addressed in the appropriate forums of the General Assembly, but not in the Fourth Committee. In its recent communiqué, it had rejected the so-called right of humanitarian intervention as having no legal basis in the Charter or in the general principles of international law. Furthermore, it was important that the United Nations should maintain a clear distinction between humanitarian operations and all other activities of the United Nations system, including peacekeeping.

54. The cooperative spirit which had characterized the work of the Special Committee at its 1999 spring session had contributed to the Committee's adoption of a new working procedure, which would allow the General Assembly to consider the peacekeeping issue more effectively, and to enhance the role of the Special Committee in maintaining the relationship between it and the Fourth Committee as between a subsidiary body and a Main Committee of the General Assembly.

55. Since the time of the latest meeting of the Special Committee, a number of new operations had been, or were in the process of being, established. It was important that the Security Council should approach all conflicts, irrespective of their geographical location, with an equal and uniform level of intensity and commitment. In connection with the increased burden on the Secretariat as a result of the new mandates from the Security Council, the Non-Aligned Movement would like to know how the Secretariat was handling the current surge in new operations, particularly after the phase-out of gratis personnel, and whether it was seeking additional resources. In that context, the Non-Aligned Movement attached great importance to filling all posts in a manner consistent with the requirements of Articles 100 and 101 of the Charter of the United Nations and on the widest possible geographical basis. That applied not only to the Department of Peacekeeping Operations in New York, but also to the field.

56. There had been other developments which had been a cause of concern and were an argument in favour of establishing a closer relationship between the Secretariat and members of the General Assembly, which provided the bulk

of personnel serving on missions. Referring to one problem area, he said that the Under-Secretary-General for Peacekeeping Operations had sent Member States a letter dated 28 June in which he had cited the Special Committee's 1999 report and noted how the Committee had urged the Secretariat to finalize the guidelines for United Nations peacekeepers regarding international humanitarian law. He had attached to that letter the Secretary-General's official bulletin on the issue, which had not yet been published.

57. In response, the Working Group of the Non-Aligned Movement had sent two letters to the Secretariat, in one of which, dated 8 July, it had expressed appreciation to the Under-Secretary-General for having distributed the provisional document, but had requested him to give Member States more time to study it, as the two weeks assigned for that purpose were clearly insufficient, especially since the Secretariat had been working on the document for almost two and a half years, during which time it had had no consultation with the troop-contributing countries. In that letter, the Non-Aligned Movement had also noted that the Under-Secretary-General had not taken into account paragraph 82 of the Special Committee's report, in which the Secretariat was urged to finalize the guidelines "in consultations with the Special Committee".

58. The Non-Aligned Movement had therefore thought it appropriate to ask the Special Committee to convene an informal session of the Working Group so that a large number of Member States could review the proposed bulletin, and that had been done. In its second letter of 22 July, the Secretariat had been informed of the decision to convene such a meeting. On 26 July, when the Chairman of the Working Group had been temporarily absent from New York, the Secretariat had hastily arranged a separate meeting for Member States, at which, despite objections by a number of members of the Non-Aligned Movement and other countries, a decision had been taken to release the guidelines in their original form.

59. Such behaviour on the part of the Secretariat was simply unacceptable, and was hardly in keeping with the spirit of the consultation process envisaged in the report of the Special Committee. The Non-Aligned Movement did not consider the matter closed and hoped that the guidelines would be properly examined in consultation with Member States. A similar approach should be taken to the handling of the sample rules of engagement, in accordance with paragraph 70 of the report of the Special Committee.

60. Another issue of concern was the Secretariat's procedure for the selection of police personnel for the Kosovo mission. At briefings for the troop-contributing countries, the Secretariat had informed them that, owing to lack of time, it had been unable to send Selection Assistance Teams to those countries and that greater flexibility would be factored into the admission of the first batch of police officers.

61. Unfortunately, everything had happened differently. The police monitors had been given an English-language proficiency test which had been more stringent than that for other missions, and many of them had been judged unfit for service. Some police officers who had passed the first test successfully had been given a second test, which they had then failed. All that was very disturbing for a number of members of the Non-Aligned Movement. The United Nations should at least cover the repatriation costs of those police officers.

62. On a more general level, the Working Group of the Non-Aligned Movement acknowledged that the primary responsibility for the nomination of the police officers lay with the Member States themselves. It also recognized the need for civilian police officers to receive further testing in the field, on their driving ability, but the policy to be followed in that regard should be that outlined by the Secretariat in its note of 8 July 1998.

63. The Movement of Non-Aligned countries remained deeply concerned about the delays in reimbursement of troop costs and contingent-owned equipment leases. Those delays adversely affected the capacity, and, potentially, the will of troop-contributing countries to participate in peacekeeping. It also wished to highlight paragraph 107 of the report of the Special Committee and to reaffirm the obligation of Member States to bear the expenses of the Organization, in accordance with Article 17 of the Charter, bearing in mind the special responsibility of the permanent members of the Security Council.

64. With respect to procurement, the Non-Aligned Movement recalled General Assembly resolution 51/231 of 13 June 1997, which mentioned the need to give priority to developing countries. It also considered that the Organization should give preferential treatment to offers from troop-contributing countries. In order to induce countries to pay their contributions, the Organization should consider the option of not awarding contracts to Member States that had the capacity to pay, but did not fulfil their financial obligations to the United Nations.

65. The planning and deployment of peacekeeping operations should take place within the framework of the standby arrangements system, which was open to all States. With regard to cooperation between the United Nations and regional arrangements, the Non-Aligned Movement stressed

the importance of paragraphs 115 to 123 of the report and noted that such cooperation must abide by the letter and spirit of Chapter VIII of the Charter and must take into account the existing mechanisms in each of the regional agencies.

66. In conclusion, the Non-Aligned Movement paid tribute to the United Nations peacekeepers who had died in the line of duty. In that connection, it wished to express concern over the increase in the number of attacks against members of peacekeeping missions, and, in keeping with paragraph 89 of the report, to recommend that the Secretariat should seek the views of Member States on that subject in an open-ended working group or seminar on safety and security of United Nations personnel in peacekeeping operations.

67. **Mr. Kolby** (Norway) said that, while in the past "traditional" conflicts had been settled by the signing of a peace agreement, there was really only one approach to today's conflicts, given their complexities, and that was peace-building, which meant supporting the transition from war to peace. Because of the diversity of the organizations involved in peace-building, there must be clear mechanisms for coordinating the actions of all the participants, and all the organizations involved must have a common goal.

68. The United Nations was best able to set up multifunctional peacekeeping operations by making use of a combination of different strategic instruments. In order for it to do so, however, the Organization's personnel at all levels, particularly leaders in the field, must have the appropriate training. Priority must therefore be given to the work of the Lessons Learned Unit and the Training Unit.

69. The expertise and qualifications of personnel played a crucial role in promoting cooperation among different organizations, and his delegation therefore attached great importance to the activities of the United Nations Training Assistance Teams. It actively supported such training and supplied instructors and financial resources. Professional leadership was another important ingredient for the success of multifunctional peacekeeping operations.

70. Since each operation had its own specific characteristics, there was a need to take into account the distribution of roles among the various regional participants, as well as other regional dimensions. When large military forces were called for, the Organization must seek assistance from regional organizations, which could more readily mobilize the forces of their members. It was therefore necessary to strengthen the capacity of such organizations to participate in peacekeeping operations.

71. In that connection, his delegation considered that the United Nations, in close cooperation with regional organizations, must establish common principles for training personnel and military units. It was also important to establish common structures for interaction between the Organization and the respective regional organizations and to improve multifunctional planning and coordination. The Rapidly Deployable Mission Headquarters had a vital role to play in that work. In order to realize those important aims, countries with greater financial resources and extensive experience of peacekeeping must provide funding and personnel to establish a self-sustaining peacekeeping capacity within all regional organizations.

72. As the experience of the past decade had shown, in order to achieve a sustainable peace, the international community must assist countries in rebuilding a viable civil society. Disarmament, demobilization and reintegration played an important role in that regard.

73. The presence of large numbers of small arms and light weapons was a major destabilizing factor during the post-conflict phase, threatening the security of peacekeepers and humanitarian personnel. There was therefore a need to include in the mandate of future peacekeeping operations the demobilization of former combatants and the collection of small arms.

74. His delegation considered that one of the most crucial issues in almost all peace-building efforts was the reform of the State security system, in particular such elements as the police, the judiciary and the criminal justice system. They were among the key functions of any State and must not be neglected in the national reconstruction process.

75. It was therefore important that the United Nations should stress to Member States the need to build capacity in order to allow for the participation in peacekeeping operations of specialists in the field of security sector reform, for the shortage of such persons was sorely felt throughout the world. The Organization might consider developing a common strategy for participation in reform of that sector. It should also establish common standards and organize common training for that type of personnel.

76. Peace-building increasingly entailed the training and restructuring of local police forces. That was an important element of overall security sector reform, requiring the alteration of the institutional environment in which the police operated. That process required many years of effort, as well as the provision by the Organization of officers with expertise in building institutions, conducting police training and restructuring police forces. That issue was a priority for his country. Currently, a number of experienced Norwegian

police officers were working as instructors on courses for civilian police all over the world.

77. In many instances, the destabilizing consequences of conflicts, namely organized crime, weapons smuggling and so on, spilled over national borders. Peace-building must therefore be seen as an issue of regional dimensions.

78. **Mr. Sutoyo** (Indonesia), speaking on behalf of the Association of South-East Asian Nations (ASEAN), reaffirmed the guiding principles relating to peacekeeping operations embodied in the Final Communiqué of the Conference of Ministers of the Non-Aligned Movement and in the report of the Special Committee to the fifty-fourth session of the General Assembly. Because of the increasing complexity of the peacekeeping operations conducted by the United Nations, ASEAN was concerned about the safety and security of United Nations staff and agreed on the need to give the staff adequate protection. It was also important to ensure maximum impartiality in the operations and among the staff assigned to them. The procedure for the recruitment of United Nations staff was a matter of serious concern. In the case of international staff, measures were taken to ensure equitable representation, but that was not true of local staff of the United Nations in mission areas. That was incompatible with the impartial nature of the United Nations and ASEAN strongly urged the Secretariat to give serious attention to that issue.

79. Regional organizations and the international community as a whole could play a role in United Nations peacekeeping operations in accordance with the letter and spirit of the Charter and the mandate of the Security Council. ASEAN would study ways and means of improving cooperation with the United Nations in order to promote peace and stability in the region. ASEAN also believed that regional efforts were no substitute for the role of the United Nations in maintaining peace, since the Organization bore the primary responsibility for the maintenance of international peace and security. In addition, regional peacekeeping efforts should be strictly based on the principles of the Charter of the United Nations and subject to the control of the Security Council. Moreover, ASEAN espoused the principle of universal participation in peacekeeping operations.

80. If the Secretariat rejected a request from a particular Member State to participate in a peacekeeping operation, it should explain the reason for its decision. In recent months, the Secretariat had taken steps to improve the arrangements for informing Member States about the work of missions in the regions. If there was no time for the Secretariat to convene a meeting in order to convey important or urgent information, it should communicate directly with the Permanent Missions concerned.

81. ASEAN welcomed the fact that, for the first time in four years, the United Nations had decreased the amount borrowed from the peacekeeping budget to finance items under the regular budget. The borrowing adversely affected the Organization's ability to reimburse on time the countries contributing troops and equipment to peacekeeping operations, many of which were developing countries. ASEAN strongly urged the Secretary-General to give urgent attention to the problem of overdue payments, particularly to developing countries. The Organization currently owed ASEAN member States about US$ 30 million. The developing troop-contributing countries should not suffer because others were not meeting their obligations.

82. Despite the progress made by the Procurement Division, ASEAN strongly urged the Secretariat to continue efforts to improve and reform the procedures and rules for procurement and to expand the geographical scope of the list of suppliers, as well as to take all necessary measures to increase the volume of purchases for peacekeeping operations from developing countries and to grant preferential treatment to vendors from those countries who met the established requirements. While the financial and other obligations with regard to peacekeeping operations were borne by the majority of Member States, purchases for those operations basically continued to be made in a small number of countries.

83. In conclusion, ASEAN expressed support for the Special Committee and profound gratitude to peacekeepers throughout the world.

84. **Mr. Zaki** (Egypt) recalled that the first peacekeeping operation in the established sense had been approved by the General Assembly and not by the Security Council and had been deployed on the territory of Egypt at the beginning of 1957. He had referred to that operation in order to reaffirm the role entrusted by the Charter to the General Assembly in the maintenance of international peace and security.

85. In connection with the ongoing debate about the United Nations approach to crises with a humanitarian aspect, the delegation of Egypt firmly adhered to the consistent position of the Non-Aligned Movement on the need to differentiate between peacekeeping and humanitarian action. The General Assembly should assume the principal role in the discussion of those questions, and Egypt had a specific proposal to make in that regard.

86. The events of 1999, after the end of the most recent session of the Special Committee on Peacekeeping

Operations, raised a number of important issues: the methods and structure of work of the Secretariat and their appropriateness for the conditions created by the new operations; the value of the Stand-By Arrangements System for the Organization and whether the contributions from Member States were within the requirements; and the comprehensive review of the rules governing the role of civilian police, which had become a crucial element in most United Nations operations.

87. The delegation of Egypt viewed with deep concern the delay in reimbursing Egypt for its participation in United Nations operations. Such delays adversely affected the capacity of Egypt and of many other countries, particularly developing countries, to sustain an effective contribution to those operations.

88. The current year had witnessed an important event relating to the issue by the Secretariat of guidelines on international humanitarian law for the staff of peacekeeping operations. In addition to what had been said by the representative of Jordan in that regard, the delegation of Egypt considered that the guidelines should be subject to review and appraisal. That should be done primarily through the Special Committee on Peacekeeping Operations in coordination with the Sixth Committee.

89. In conclusion, the delegation of Egypt welcomed the Special Committee's proposal that its method of work should be examined in the Fourth Committee and in the General Assembly. Egypt looked forward to enhanced cooperation between the Special Committee and the Secretariat, which would have a positive effect on the way in which the United Nations addressed questions related to the maintenance of international peace and security.

90. **Mr. Barbers** (Philippines) said that the past year had been particularly challenging for United Nations peacekeeping operations as regards resource levels both for the United Nations and for contributing States. There was a sense that many contributing States had started to suffer from "donor fatigue" because of the growing number of operations.

91. The United Nations had become expert in peacekeeping operations but it would be most imprudent to think that familiarity and practice would eliminate all the problems. That was, of course, far from being the case. Not only was the world still suffering from violence and conflict, but there was no agreement on the concepts and strategy underlying United Nations peacekeeping missions. The growing universal consciousness of human rights was placing a new strain on the traditional concepts of sovereignty and non-interference in domestic affairs of States. The Philippines valued State sovereignty and the universal nature of human rights as important components of its national values and interests.

92. The United Nations should be able to find a balance between upholding the sovereignty of States and promoting human rights. If the international order was to be under the rule of law, it was essential to uphold the decision of the international community to give the exclusive right to use force to the Security Council, except in situations where the use of force was dictated by the need for self-defence. To allow or tolerate unilateral intervention would set a dangerous precedent in power politics for future generations, which would lead to the demise of the rule of law. At the same time, Governments should not be allowed to hide behind the veil of sovereignty while continuing to suppress basic human rights.

93. The Philippines was participating actively in several peacekeeping missions and would continue to do so as far as its resources would allow. It was particularly grateful for the Secretariat's efforts to achieve a gender balance in the Department of Peacekeeping Operations and in the field, and for the Department's efforts in that direction.

94. While the whole question of peacekeeping operations could be broken down into a number of details, it might be useful to consider where peacekeeping stood as an important concern of the United Nations. The international community must find a balance between the principles of State sovereignty and human rights, which had been proclaimed in various forums, since they seemed to be on a collision course.

95. **Mr. Kazykhanov** (Kazakhstan) said that Kazakhstan firmly supported the peacekeeping activities of the United Nations and its efforts to strengthen its peacekeeping potential, and shared the view of those States which believed that in the next century the world must become multipolar, free from power centres and dividing lines, from confrontation and clashes.

96. An analysis of the main causes of past conflicts showed that the transformation of potential conflicts into uncontrollable violence could be prevented only by early warning based on a preventive strategy under the auspices of the United Nations and by the necessary political will. That was apparent also from the recent crises in Kosovo and East Timor. In that context, his delegation fully endorsed the need to strengthen the Organization's potential to prevent armed conflicts by strengthening the strategy of preventive diplomacy, preventive deployment and preventive disarmament.

97. One of the main tasks in the sphere of peace-building was still the creation of a comprehensive mechanism to prevent the actual outbreak of destructive conflicts and their spread into the international arena. In that connection, it was essential to continue to seek ways of reacting effectively to the complex conflicts that arose in the modern world, which often required simultaneous action to maintain peace and promote development.

98. In recent years, poor countries had been far more likely than rich countries to become embroiled in armed conflicts. His delegation therefore fully shared the Secretary-General's conclusions that the international community should actively encourage policies that enhanced people-centred security in conflict-prone regions, since minimum standards of security were a precondition for development. Also important for the achievement of those goals was the application by the Organization of a new integrated concept of security at the local level.

99. His delegation commended the efforts of the Secretariat and the Department of Peacekeeping Operations to pay due attention to the proposals regarding participation in peacekeeping operations under stand-by arrangements, the potential of which was demonstrated by the fact that the system currently included more than 80 States.

100. In the context of the measures required to make the training of peacekeepers more effective, the further development of cooperation between the United Nations and Member States in the conduct of multidimensional exercises for peacekeepers merited unconditional approval. To improve the professional training of peacekeepers, in the past two years Uzbekistan and Kyrgyzstan, with the participation of the Centrazbat collective peacekeeping battalion and military units from the United States of America, the Russian Federation, Turkey, Azerbaijan and Georgia, had twice carried out multidimensional exercises in the territory of Kazakhstan. Those peacekeeping exercises had covered issues relating to the coordination of cooperation in the conduct of peacekeeping operations when local conflicts occurred and the provision of humanitarian assistance, as well as the command, control and administrative support system.

101. Kazakhstan remained firmly committed to its peacekeeping obligations and would continue to do its utmost to make a practical contribution to the strengthening of the peacekeeping potential of the United Nations.

102. **Mr. Valdivieso** (Colombia) said that his delegation was convinced of the effectiveness of peacekeeping operations as a mechanism for ensuring international peace and security on the basis of the principles proclaimed in the Charter of the United Nations. At the same time, there was no universal methodology that would allow an effective response to various crisis situations which arose ever more frequently as a result of internal, rather than international, conflicts.

103. In view of the fact that the concept of maintaining international peace and security permitted a wide range of operations to be undertaken, from conflict prevention to direct peace-building, it was especially important to improve the machinery for early warning of the causes of conflicts and to prepare to react to them on that basis before there was a need to resort to force. In that connection, the implementation of measures for the maintenance of peace and security should not be farmed out to any narrow group of countries. Moreover, in efforts to carry out the mandate for the maintenance of international peace and security, it was not acceptable to depart from the fundamental principles and legal standards underlying the joint action of the international community.

104. The complex character of conflict situations to be dealt with at the present time made it necessary to make the Organization's activities more dynamic while maintaining a cautious approach. That would be the major task in the coming century.

105. In the recent report of the Secretary-General it was stated that references to non-observance of humanitarian principles and human rights were increasingly being used to justify the use of force, even without the sanction of the Security Council. In that connection, his delegation aligned itself with the statement made by the representative of Jordan on behalf of the members of the Non-Aligned Movement and supported their appeal for a clear distinction between humanitarian activities and United Nations peacekeeping operations.

106. Colombia further believed that when dealing with humanitarian crises the United Nations system should use its existing humanitarian support machinery, on the basis of constructive cooperation with legitimate national Governments which demonstrated their desire to find solutions.

107. The multifaceted nature of peacekeeping operations imposed a need for greater clarity and transparency in their mandates and objectives. Strict compliance with mandates, together with the prior consent of the parties, enhanced the effectiveness of the operations, strengthened trust and improved the prospects for the success of the joint activities of the international community. In that connection Colombia noted with satisfaction the distribution of the Secretary-

General's bulletin on observance by United Nations forces of humanitarian law.

108. **Mr. Sato** (Japan) said that during the past 12 months the Security Council had taken a number of important actions in the area of peacekeeping, for example in Kosovo, the Democratic Republic of the Congo, East Timor and Sierra Leone. In that context a number of issues had arisen which required the urgent attention of the international community, including issues of the Organization's capacity to respond to humanitarian crises. Serious attention should be given in that connection to the statement made by the Secretary-General in the General Assembly on 20 September on the importance of and the dilemma posed by intervention, in which peacekeeping was an essential element.

109. His delegation wished to comment on two questions. The first was the need to put the United Nations peacekeeping operations on a sound financial footing; the Secretariat had with good reason doubled the budget estimates for such operations in 1999. The Member States must remind themselves anew of their obligation to pay their assessed contributions on time, in full, and without conditions. Furthermore, there must not be excessive reliance on voluntary contributions to make up for shortfalls in assessed contributions for peacekeeping operations or political missions of the United Nations. The case of UNAMET was not encouraging in that respect: the first phase had been financed almost entirely from voluntary contributions, and Japan in particular had contributed over $10 million to the Trust Fund.

110. The second question was the safety of peacekeeping personnel, which was a precondition for all United Nations peacekeeping operations. However, in 1999 alone 13 staff members of the Organization had been killed in the line of duty. Their tragic loss must be taken as yet another reminder of the dangerous conditions faced by United Nations personnel as they carried out their duties. Japan had long been stressing the need for increased efforts to ensure the safety of personnel in the field. The first requirement was to establish international legal frameworks to ensure the safety of personnel, and Japan welcomed in that connection the Convention on the Safety of United Nations and Associated Personnel, which had entered into force in January 1999, and it called upon those States which had not yet done so to accede to the Convention as soon as possible.

111. The second requirement was the implementation of concrete measures to enhance safety. In that respect the Trust Fund for Security of United Nations Personnel and the training activities which the Fund supported were of great importance. Japan, for its part, had arranged several training seminars for United Nations volunteers and had contributed $1 million to support related activities.

112. Japan recognized the importance of investing the force in East Timor with a truly multinational character and had decided to contribute about $100 million to the Trust Fund in order to facilitate the participation of Asian and other developing countries in the international force. It believed that the international character of the force in East Timor would be a positive asset in the transition to the United Nations peacekeeping operation. It therefore appealed to other countries, particularly the developed ones which were not sending troops, to contribute to the Fund.

113. His delegation supported the proposed improvement of the working methods of the Special Committee. As one of the sponsors of the draft resolution Japan hoped that the implementation of the proposal would lead to a more fruitful discussion at future sessions in the Fourth Committee and in the Special Committee.

The meeting rose at 12.55 p.m.

United Nations A/C.4/54/SR.11

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Summary record of the 11th meeting
Held at Headquarters, New York, on Tuesday, 19 October 1999, at 3 p.m.

Chairman: Mr. Kazhura ..... (Belarus)

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Agenda item 90: Comprehensive review of the whole question of peacekeeping operations in all their aspects (*continued*)

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99-81692 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 90: Comprehensive review of the whole question of peacekeeping operations in all their aspects (*continued*) (A/54/87; A/54/63-S/1999/171; A/C.4/54/L.2*)

1. **Mr. Duval** (Canada) said that, among the practical recommendations in the report of the Special Committee on Peacekeeping Operations, his delegation strongly supported those concerning changes to the Special Committee's working methods, especially those aimed at speeding up consideration of its reports by the Fourth Committee and the General Assembly. With regard to the recommendation that the Secretariat should finalize guidelines for peacekeepers on international humanitarian law, in consultation with the Special Committee, his delegation believed that the Secretariat must retain the right to decide on the most appropriate method of consultation and that Member States must be afforded sufficient time to reply.

2. His delegation had misgivings about both the content of the guidelines and the process. They still contained an unacceptable level of imprecision and ambiguity, which seriously limited its usefulness to peacekeepers. As for the process, his delegation regretted the inordinate haste with which the Secretariat had rushed to publish the guidelines in the form of a bulletin, thus sacrificing truth, accuracy and effectiveness in an attempt to score public relations "points" with the international media.

3. Peacekeeping operations in Kosovo and East Timor had underscored the serious lack of staff capacity within the Secretariat to plan, mount and deploy peacekeeping operations in a timely manner. His delegation reiterated the need for the Secretary-General to develop staff levels within the Department of Peacekeeping Operations in terms of a "core" and "surge" capacity. To ensure that the Department had the necessary resources to carry out its functions, the Secretary-General should develop a nucleus of human resources and revisit several of the key concepts involved in United Nations rapid deployment capacity. His Government would continue to provide assistance wherever requested in the Secretariat's efforts to enhance that capacity.

4. With regard to the civilian police component of United Nations peacekeeping operations, his delegation supported the Special Committee's view on the need to strengthen the Civilian Police Unit, enhance the role of the Civilian Police Adviser and fill all authorized posts within the Unit. Planning for the police operations in the United Nations Interim Administration Mission in Kosovo and the United Nations Mission in East Timor, two of the most complex operations ever mounted, had stretched the Unit's resources to the limit. His delegation therefore considered that the Secretary-General should take urgent action to review the Unit's strength, fill all authorized posts promptly and develop an effective and reactive surge planning capacity.

5. **Mr. Al-Bader** (Kuwait) said that peacekeeping operations in various parts of the world were playing a more effective role than in the past, in that their activities had been expanded to incorporate humanitarian assistance, monitoring of human rights violations and institution-building. His delegation stressed, however, that some aspects of the operations should be reviewed. It was important to establish clear objectives and command structures, to ensure respect for Article 17 of the Charter of the United Nations on budget contributions, to maintain constant consultations between the Security Council and troop-contributing countries, to strengthen the United Nations early warning and preventive diplomacy role and to consolidate its rapid deployment capacities.

6. Since 1991 the United Nations Iraq-Kuwait Observation Mission had been based in his country. The Mission played an important role in helping to reduce border tension and thus increase security and stability in the region. The repeated violations by Iraq of resolutions adopted by international bodies, however, constituted a source of tension and instability and raised doubts as to that country's intentions. Kuwait greatly valued the Mission's presence in the region and in November 1993 had decided to take on two thirds of its budget to ensure that its activities were not disrupted by financial problems. The Government also regularly fulfilled its financial obligations in respect of the budget for peacekeeping operations. In addition to financial resources, it provided the Mission with human and material resources for such activities as monitoring the maritime boundary and had set up a liaison office which was in constant contact with the Mission. His delegation endorsed the recommendations contained in the Special Committee's report (A/54/87).

7. **Mr. Osei** (Ghana) commended the work done by the Special Committee. His delegation nonetheless aligned itself with the proposals presented on behalf of the Movement of Non-Aligned Countries by South Africa for further streamlining of the Special Committee's work to make it more effective.

8. Over the past few years, Africa had witnessed numerous civil wars which had set back efforts to move the continent out of economic decline. African countries had

amply demonstrated their willingness to resolve conflicts on their own continent, but for that it was necessary to enhance their peacekeeping capacity. That included strengthening the capacity of the Organization of African Unity. His delegation strongly believed that Africa should continue to play a central role in efforts to bring about peace and stability on the continent and, as the Secretary-General had said, show its determination to enhance its peacekeeping capacity. That was why the Organization of African Unity had put in place its Mechanism for Conflict Prevention, Management and Resolution in which his country was actively involved. Non-African States would naturally continue to play a crucial role in the process and his delegation endorsed the Secretary-General's appeal for renewed commitment by Member States to supporting efforts to enhance Africa's contribution to the maintenance of international peace and security.

9. His delegation appreciated the role that was being played by the Department of Public Information in peacekeeping and security and reaffirmed the importance of informing the general population about peacekeeping activities taking place in their countries so as to broaden their understanding and acceptance of the peace process.

10. Ghana, which was the fourth largest troop-contributing country, was naturally concerned about the safety and security of peacekeepers and supported all the efforts which were being made by the Department to reduce the risks involved. His delegation recognized the important contribution of civilian police to the maintenance of peace and security in the post-conflict phase and therefore welcomed the efforts of the United Nations to enhance civilian police capacity in Africa through training programmes.

11. **Ms. Durrant** (Jamaica) said that her delegation supported the contents of the report of the Special Committee and endorsed the proposal to streamline the work of the Committee vis-à-vis the Special Committee. Her delegation subscribed to the statement made by the representative of Jordan on behalf of the Movement of Non-Aligned Countries.

12. While some might wrongly believe that United Nations peacekeeping had outlived its usefulness, in reality peacekeeping operations had acquired new importance over the past year, which had been particularly tumultuous, and had evolved into multidimensional operations addressing complex situations which required a more dynamic approach. In order to meet those challenges, every effort should be made to enhance the capacity of the United Nations in rapid deployment and standby arrangements and to improve the recruitment of skilled personnel.

13. Jamaica shared the view of the Secretary-General that there should be an emphasis on preventive diplomacy, and that early warning was a condition for its effectiveness. In that respect, it was regrettable that the necessary political will was often lacking.

14. Her delegation stressed the need to strengthen the partnership between regional organizations and the United Nations in conflict resolution and post-conflict peace-building. It noted with satisfaction that coordination between the United Nations and regional organizations had been improved. In that respect, it stressed that the close coordination between the Economic Community of West African States (ECOWAS), OAU and the United Nations in the recent conflicts in Africa had yielded very positive results.

15. The recent killings of United Nations personnel in Kosovo and Burundi had signalled once again the importance of ensuring wider security for United Nations personnel involved in peacekeeping operations. The measures to be taken in that respect included measures to conduct investigations and prosecute the culprits. It must be ensured that the security measures that were adopted were also extended to other categories of personnel, such as relief personnel and the personnel of non-governmental organizations working in the field.

16. Given the complex challenges of peacekeeping, it was imperative that peacekeepers should be not only technically prepared, but also sensitized to the culture of the societies undergoing conflict situations. Her delegation therefore welcomed the efforts that were being made to implement the recommendations of the Joint Inspection Unit regarding the utilization of United Nations training facilities for peacekeeping operations.

17. With regard to strengthening African peacekeeping capacity, her delegation welcomed the efforts that were being made in that respect, but wished to stress the need for ongoing political support, the strengthening of training and the allocation of adequate logistical and financial support.

18. **Mr. Ramanna** (India) said that his delegation associated itself with the statement made on behalf of the Movement of Non-Aligned Countries. Peacekeeping was not an end in itself but a means to an end which must be seen as part of a broader international engagement. Peacekeeping operations could not be a substitute for the tasks of nation building and economic development. The underlying socio-

economic causes of conflicts, namely poverty, underdevelopment and inequality, must be addressed.

19. India was pleased that the Secretariat was enhancing African peacekeeping capacities. However, the United Nations should focus more on the needs of African countries instead of trying to subcontract peacekeeping to regional arrangements, whose purpose should be to reinforce rather than replace the role of the United Nations. Sufficient resources should be earmarked for peacekeeping operations, and there should be no variable standards in the international response to crises in Africa and in Europe.

20. India fully supported the recommendations in the report of the Special Committee. In particular, it welcomed the completion of a draft set of standard operating procedures for civilian police operations and the publication of the selection and training standards for civilian police. India encouraged the Secretariat to develop draft guidelines on general principles regarding the role of the civilian police as soon as possible. It was imperative for all Member States to pay their assessed contributions in full, on time and without conditions so as to eliminate the delays in reimbursements to troop contributors.

21. His delegation noted that the Secretary-General had taken the initiative to issue a bulletin on the observance of international humanitarian law by United Nations peacekeepers. However, as proposed by the Special Committee, those guidelines should have been finalized only after holding consultations with the Committee.

22. In conclusion, he stressed that India's commitment to United Nations peacekeeping was an article of faith in a long tradition of action for peace. Over 50,000 Indian troops had participated with distinction in 30 peacekeeping missions throughout the world, and 90 of them had laid down their lives in the service of the United Nations.

23. **Mr. Shen Guofang** (China), referring to the importance of the role played by United Nations peacekeeping operations in resolving regional conflicts and easing tensions, said that the number of peacekeeping operations had greatly increased over the past year and their mandates were constantly expanding. The General Assembly must therefore once again carry out an overview of all issues relating to peacekeeping operations.

24. China had always maintained that peacekeeping operations should strictly abide by the purposes and principles of the Charter of the United Nations as well as the norms governing international relations, particularly the principles of respect for State sovereignty and non-interference in internal affairs. While the international situation had undergone significant changes during the post-cold-war era, those principles remained valid; contravention of those principles would give rise to a risk of severe damage to international relations. Peacekeeping operations must also abide by the principles of fairness and neutrality, non-use of force except in cases of legitimate self-defence, and prior consent by the parties concerned. Peacekeeping operations faced new challenges, and new methods needed to be devised to meet those challenges, while respecting the purposes and principles of the Charter of the United Nations.

25. His delegation shared the view of the Secretary-General concerning the international community's poor response to the needs of victims of war and natural disasters in Africa. It was disturbing that double standards were being applied increasingly in peacekeeping operations. The United Nations must not treat conflicts and suffering differently depending on the part of the world in which they were taking place. Peace and stability in one region could not be maintained at the expense of neglect of and indifference towards another region. Although conflicts in different parts of the world had different causes, the United Nations must treat them equally, without discrimination. Operations of an unprecedented scale had been deployed from Kosovo to East Timor; at the same time, however, the African continent was still in a quagmire of continuing conflicts that were inflicting untold sufferings on the local peoples. Those peoples should not be deprived of the attention and assistance of the international community simply because they were in Africa. It was time for the United Nations to honour its commitments and take meaningful action, because any hesitation would undermine its authority and tarnish its prestige, or even weaken its ability to maintain international peace and security.

26. Turning to the question of the financing of peacekeeping operations, he said that delays in the payment of contributions and non-payment of assessed contributions by a few countries had had a severe impact on various aspects of peacekeeping operations and had hampered a timely response by the Security Council. His delegation once again urged those countries which were behind in the payment of their contributions, especially the country with large arrears, to pay their dues on time, in full and without conditions.

27. In conclusion, he referred to the question of civilian police, who had an important role to play in peacekeeping operations. China was strengthening its training capacities in that respect and hoped that the Department of Peacekeeping Operations would formulate civilian police training standards as soon as possible and help developing

countries train their civilian police so that they could participate in a meaningful way in peacekeeping operations.

28. **Mr. Monagas** (Venezuela), referring to the report of the Secretary-General on the work of the Organization (A/54/1), said that, in view of the changes in the nature of conflicts over the past 10 years, the capacities of the Organization must be strengthened so that it could remove the obstacles to the smooth conduct of peacekeeping operations. It was now necessary to act on several fronts: deployment of civilian police forces, humanitarian assistance, disarmament and human rights monitoring. It was also imperative for the Organization to respect the principles affirmed by the Movement of Non-Aligned Countries: consent of the parties, impartiality, and non-use of force, except in cases of legitimate self-defence. While humanitarian assistance had become an essential component of peacekeeping operations, a clear distinction must be maintained between the two types of operation. United Nations operations should not be systematically conducted in the name of a right to interfere on humanitarian grounds. That concept needed to be considered in more detail, in another body.

29. The mandate of peacekeeping operations must be clearly defined, and they must be provided with assured means of financing. Member States, and in particular the members of the Security Council, must be collectively responsible for the financing of those operations. His Government supported the long-term priority objectives defined by the Secretariat, particularly in respect of the strengthening of peacekeeping capacities in Africa. It felt that all situations which constituted threats to peace should be treated with the same urgency. It welcomed the special links which the United Nations had established with regional and sub-regional organizations, particularly in Africa. It believed that early warning mechanisms should be further strengthened in order to resolve disputes before the outbreak of armed conflict, and that OAU should continue to be supported in that respect.

30. The United Nations was responsible for the maintenance of international peace and security; situations such as the situation which had arisen in Kosovo must be prevented from recurring without the Security Council being able to exert the authority entrusted to it by the Charter. While it was gratifying that the Convention on the Safety of United Nations and Associated Personnel had entered into force, the security and protection of peacekeepers on the ground must also be enhanced. The Security Council and the Secretariat must consult troop-contributing countries when planning the deployment of new missions and the strengthening of existing missions, for the sake of greater transparency.

31. As indicated in paragraph 23 of the report of the Special Committee (A/54/87), Member States must be kept informed as to the criteria and methodology employed in the recruitment of replacements for gratis personnel, which must adhere to the principle of equitable geographical distribution. Lastly, his delegation deplored the frequent delays in the reimbursement of countries which contributed troops and military *matériel*.

32. **Ms. Nuanthasing** (Lao People's Democratic Republic) said that her delegation associated itself with the statements made earlier by the representative of Indonesia on behalf of ASEAN and by the representative of Jordan on behalf of the Non-Aligned Movement. Despite the difficulties encountered over the last five decades, the United Nations had not only been able to survive but to maintain its role in helping to resolve conflicts in many parts of the world. Lessons should be drawn from past successes and failures, and new approaches should be adopted, so as to safeguard the Organization's capacity for dealing with international conflicts. Peacekeeping operations should not be exploited as a means of serving the particular interests of some or a group of countries.

33. Although peacekeeping operations, when conducted in strict observance of the purposes and principles of the Charter, had a crucial part to play, they should remain a measure of last resort and not become a substitute for a permanent solution or for a political settlement of conflicts. Operations should be based on the following principles: respect for national sovereignty, territorial integrity and non-interference in the internal affairs of States, the consent of the parties, impartiality and the non-use of force except in self-defence. Their mandates and objectives should be clearly defined and their financing secure.

34. Like others, her delegation was concerned over the huge arrears in the payment of contributions by some Member States, especially the major contributor. As a result, there were delays in United Nations reimbursement of the States which contributed troops and equipment, the majority of them developing countries. Such delays caused a hardship to the countries concerned and adversely affected their capacity to contribute further to peacekeeping operations. All Member States must pay their assessed contributions in full, on time and without conditions. Moreover, peacekeeping operations should not be funded at the expense of the development activities of the United Nations.

35. Regional organizations had, of course, an important role to play, but no enforcement action should be taken under

regional arrangements or by regional agencies without the authorization of the Security Council. Although it was urgent to address any humanitarian crisis, wherever it occurred in the world, any action undertaken in that connection should be independent of the political or military aims of some or a group of countries. Her delegation fully supported the position taken at the Ministerial Meeting of the Non-Aligned Movement, rejecting the so-called "right of humanitarian intervention", a concept that had no legal basis in the Charter or in the general principles of international law. The Lao People's Democratic Republic would spare no effort to contribute positively to the work of the Special Committee on Peacekeeping Operations, whose main objective was to help the United Nations in maintaining world peace and security.

36. **Mr. Ka** (Senegal) said that the world needed the soldiers and civilian police of the peacekeeping operations more than ever. He hailed the memory of the 2,000 soldiers fallen in the service of peace over the last 50 years. While recognizing that, as the Secretary-General had indicated in his report (A/53/63), peacekeeping remained a vital instrument and it was important to strengthen cooperation with regional and subregional organizations in order to consolidate African mechanisms to address conflict, his delegation believed that the efforts of regional organizations did not absolve the international community from its collective obligations set out in the Charter of the United Nations, which assigned to the Security Council the primary responsibility for maintaining international peace and security.

37. The preventive deployment of forces in situations where violence threatened to erupt at any moment should be encouraged, for that would make it possible to avoid crises or genocidal situations. The United Nations must continue to work to strengthen its peacekeeping capacity by coordinating the needs and resources of the standby arrangements of the United Nations, in the context of a partnership between the troop-contributing States, among them Senegal, and the States that were in a position to contribute equipment. His delegation supported the recommendations made in the report of the Special Committee. Peacekeeping operations should have clearly defined mandates, a well-established command structure and fully secure financing.

38. **Mr. Tudela** (Peru) said that peacekeeping operations no longer simply involved the deployment of United Nations military troops and/or police to prevent conflict and build peace more successfully, but had taken on multidimensional aspects. In any case, a distinction had to be made between peacekeeping operations and "humanitarian interventions".

39. The peacekeeping operations examined by the Special Committee were essentially those that respected the principles of consent of the parties, impartiality and non-use of force. It was no longer only a matter of creating a buffer between two parties in conflict, but also of promoting initiatives and building structures that enhanced peace and offered prospects for the future. While it was true that peacekeeping operations offered only temporary solutions and did not eliminate the root causes of conflicts, it was nevertheless undeniable that they helped to build peace, especially through law enforcement, the protection of fundamental rights, the organization of elections and the reinforcement of legal and policing skills. Such modest actions paved the way for the establishment of the rule of law and of transparent political processes that were respectful of human rights.

40. It was also necessary to provide peacekeeping operations with clear mandates, taking into account the specific circumstances of each conflict and ensuring that sufficient resources were obtained. In that connection, his delegation welcomed the contribution made by the civilian police of the United Nations.

41. Peru had taken an active part in peacekeeping operations and would like to do so again. It had, in fact, offered the United Nations the participation of Peruvian officers as observers in the preparations for the referendum in Western Sahara. It firmly believed in the Charter principals of respect for the sovereignty, territorial integrity and political independence of all States.

42. It would be well to recruit personnel for the peacekeeping operations on a broader basis so that their cultural diversity might facilitate relations with the population of the country concerned. In order to do so, clear selection criteria had to be laid down sufficiently in advance to allow an assessment of the needs of each mission, thus avoiding hasty repatriations that would affect the credibility of peacekeeping operations. The security and the protection of individual peacekeepers had to be guaranteed, and the acts of violence against them that had occurred in the field must be strongly condemned. Innovative solutions had to be found to improve peacekeeping operations by endowing them with a rapid deployment capability and the necessary resources for consolidating international peace and security.

43. **Mr. Agam** (Malaysia) said that his delegation associated itself with the statements made on behalf of the Non-Aligned Movement (NAM) and the Association of Southeast Asian Nations (ASEAN). Despite its limited resources, his country had participated with distinction in various United Nations peacekeeping operations since 1960.

and had also participated in other peacekeeping operations, in particular under North Atlantic Treaty Organization (NATO) command.

44. His delegation believed that regional organizations had played and should play a role in peacekeeping operations. Regional efforts should not, however, supplant those of the United Nations or absolve the United Nations, specifically the Security Council, from fulfilling its leading role in the maintenance of international peace and security. Peacekeeping operations could no longer be viewed as isolated events and the multidisciplinary nature of peacekeeping had been duly recognized by the Security Council.

45. A major contributing factor in armed conflicts was the ease with which the warring parties could obtain small arms. In July 1999 his delegation had taken the initiative to convene an open debate in the Security Council on the issue of the disarming, demobilization and reintegration of ex-combatants, in which many Member States had participated. He welcomed the Secretariat's efforts to develop general principles and practical guidelines in that area.

46. On the issue of funding for peacekeeping, he reiterated his delegation's concern over the slow rate of reimbursement. Unless the situation improved, the capacity and willingness of Member States, in particular developing countries, to participate in peacekeeping operations could be affected. The practice of borrowing from peacekeeping funds to finance regular budget activities would not improve the situation. Malaysia was owed over $20.5 million for peacekeeping operations but nevertheless continued to pay its dues on time, in full and without condition, in its unshakeable commitment to the Organization.

47. **Mr. Gagor** (Poland) said that his Government had presented its views regarding peacekeeping operations during the spring session of the Special Committee on Peacekeeping Operations but he wished to emphasize some important points. There was increasing demand for multifunctional peacekeeping operations in various regions of the world. In the preceding five months two new peacekeeping missions had been established and one was being expanded, multinational forces had twice received United Nations authorization to support peace efforts and preparations were under way for the possible deployment of blue helmets in three other peacekeeping operations.

48. The Security Council was more active in mandating peacekeeping activities, particularly in Africa. Ways must therefore be found to strengthen the Organization's capacity to better meet new challenges, specifically in taking measures to enhance rapid deployment capability. The time had perhaps come to make standby arrangements more operational and to make the Rapidly Deployable Mission Headquarters fully functional within the Department of Peacekeeping Operations (DPKO). However, given the complexity of the conflicts and the range of tasks, the United Nations must act in close cooperation and coordination with regional arrangements and agencies yet maintain its primary role.

49. With the phasing out of gratis personnel to ensure equitable geographical representation, and the restructuring of the Secretariat, the time had come to conduct an overall assessment of the effects of currently available military expertise on the capacity of DPKO to plan, deploy and manage peacekeeping operations within the context of increasing demand.

50. With regard to the safety and security of United Nations personnel, he welcomed the initiative by DPKO to conduct a comprehensive review of the security requirements for peacekeeping operations, in which his delegation was ready to participate actively. New operations, operations to be expanded and future missions would result in an exceptional demand for personnel, especially civilian police, and resources. For some countries, including his own, the increase in unpaid reimbursements could adversely affect future participation in missions. His Government had paid its arrears fully and had met its financial obligations in full and on time. It also supported the proposed changes in the methodology of work of the Special Committee on Peacekeeping Operations and would continue to support the noble cause of peacekeeping.

51. **Mr. Hemayetuddin** (Bangladesh) said that his delegation supported the establishment at the earliest opportunity of the Rapidly Deployable Mission Headquarters, which would significantly reduce preparation time in the deployment of peacekeeping operations. Recruitment of military personnel should, however, take into account geographic distribution and the contribution by Member States to peacekeeping operations. His delegation was fully prepared to contribute military and civilian personnel to the Rapidly Deployable Mission Headquarters.

52. With regard to financing, his delegation supported the proposal put forward by the Secretary-General concerning the support account. He welcomed the phasing out of gratis personnel and stressed that replacement personnel must be recruited in accordance with Articles 100 and 101 of the Charter of the United Nations. Procurement of goods and services must be transparent and the developing countries, in particular the least developed countries and the African countries, must be granted preferential treatment in that

regard. Geographic distribution must also be taken into account in appointing high-level civilian police officers. He stressed the importance of developing guidelines on the principles governing the role of civilian police personnel in peacekeeping operations.

53. Convinced that the financing of peacekeeping operations was the collective responsibility of all Member States, his delegation was concerned by the reluctance of some countries to pay their assessed contribution to the United Nations peacekeeping budget. Such delays in payments had had a negative effect on the Organization's ability to reimburse troop-contributing countries, particularly least developed countries such as Bangladesh. It was therefore imperative that all Member States, especially the developed ones, meet their commitments and pay their contributions in full, on time and without conditions. His country had been penalized in particular by delays in reimbursement for various missions, in particular the United Nations Operation in Somalia (UNOSOM) and he requested the Secretariat to advise his delegation as to when reimbursement for that Mission could be expected.

54. The importance of proper and effective training of troops and civilian police personnel did not need to be re-emphasized. In that connection his delegation reiterated its offer to host the peacekeeping training centre for the Asia-Pacific region. His country's firm commitment to the Charter of the United Nations and to peacekeeping activities was reflected in the number of civilian and military personnel which it had contributed to various peacekeeping missions around the world. It hoped to maintain that tradition and he was pleased to pay a heartfelt tribute to the women and men who had laid down their lives in the cause of peace.

55. **Mr. Perez-Otermin** (Uruguay), speaking on behalf of the States members of the Common Market of the Southern Cone (MERCOSUR) (Argentina, Brazil, Paraguay and Uruguay), and also of Bolivia and Chile, said that those States had acceded to the agreements on standby forces and *matériel* which Paraguay had signed on 22 September 1999.

56. The changes in the nature of conflicts made it necessary to improve the capacities of peacekeeping operations, and the increasing number of attacks required a strengthening of the security of personnel. In that respect, it was important that countries which had not yet done so should ratify the Convention on the Safety of United Nations and Associated Personnel.

57. While the preventive deployment role of peacekeeping forces was still being analysed in the light of the experience of the United Nations Preventive Deployment Force (UNPREDEP), it was clear that such deployment should be accompanied by preventive diplomacy efforts in order to prevent conflicts from breaking out or worsening. Since conflicts often had social and economic causes, it was important to create conditions enabling States to develop and thereby ensure the well-being of their populations. It must also be ensured that there was a better circulation of information in order to enable the various countries to take the necessary decisions in full knowledge of the facts, so as to deal with emergency situations on the ground. The United Nations activities to train civilian police commanders were commendable, since civilian police were playing an increasing role in peacekeeping operations, their functions must be clearly defined.

58. There was no doubt that military forces could contribute to post-conflict peace-building activities, but many countries could not provide troops without compromising their own security.

59. As the Special Committee on Peacekeeping Operations had indicated, if the efficiency of operations was to be improved, it was necessary to cooperate more closely not only with regional bodies, but also with humanitarian assistance bodies and non-governmental organizations.

60. The MERCOSUR countries, which were already organizing simulation exercises and training courses, would definitely contribute to the strengthening of the capacities of peacekeeping forces in order to enable them to better fulfil their role.

61. The Department of Peacekeeping Operations should place more emphasis on the principles of equitable geographical representation and regional balance in the recruitment of personnel deployed in the field and at Headquarters.

62. The delegations on whose behalf he was speaking feared that delays in the reimbursement of developing countries would prevent them from participating more actively in peacekeeping operations. It was essential for all countries, particularly the members of the Security Council, to pay their dues on time and without conditions.

63. Those delegations paid tribute to the peacekeepers who had been killed in recent months, particularly in Kosovo and Burundi. Civilian populations were often targets for attacks and United Nations personnel was not spared, as the recent hostage taking in Georgia had demonstrated.

64. **Mr. Semakula Kiwanuka** (Uganda) said that the upsurge of conflicts required a multidimensional approach combining prevention and conflict management, from peacekeeping to peacemaking and peace-building, while developing early warning and, more importantly, early

action mechanisms for conflict prevention. The underlying causes of conflicts must be addressed — violations of human rights, fundamental freedoms and the rule of law and the absence of democracy — and it was necessary to promote development in order to combat poverty and inequality. Poor countries must be assisted in strengthening their economies, institutions and human resources. The trend towards a decline in official development assistance must be reversed.

65. There could be no sustainable peace without viable institutions. There was therefore a need to promote the establishment of transparent legal structures which were able to protect human rights and the rule of law and consolidate democracy.

66. The proliferation of small arms must be controlled, particularly in Africa. It was gratifying that the Security Council had considered that issue on 24 September 1999; however, it was important to ensure strict respect of the arms embargoes established by the Security Council in order to bring pressure to bear on the warring parties, and also to strengthen national legislative frameworks to stem the flow of small arms and light weapons. It was commendable that the Economic Community of West African States (ECOWAS) had not only placed a moratorium on small arms and light weapons, but also ordered the destruction of weapons which had been decommissioned at the end of the civil war in Liberia.

67. The establishment of lasting peace required the deployment of not only military forces but also civilian police forces. Uganda was pleased to have been able to benefit from the training programmes which had been organized.

68. At the time of the Great Lakes crisis, the need to strengthen cooperation between the United Nations and regional organizations had been stressed, and it had been observed that, if Africa was to fulfil its responsibilities, the international community had to take action. It was in that spirit that the Secretaries-General of the United Nations and of OAU had appointed a joint Special Representative to the Great Lakes, Mr. Mohamed Sahnoun, and that the Arusha process had been established to handle the situation in Burundi. The ECOWAS Ceasefire Monitoring Group (ECOMOG) had successfully intervened in Liberia and Sierra Leone, and the Southern African Development Community had participated in achieving a ceasefire in the Democratic Republic of the Congo.

69. His delegation was gratified that the Security Council was considering the question of its responsibility for the maintenance of international peace and security. It believed that the United Nations should not use the pretext of the support it provided to regional bodies to excuse itself from the obligations it incurred under the Charter.

70. Peacekeeping operations could not be deployed unless the Security Council had the will to act and the necessary resources were available. While the support provided by the United Nations to Africa in various conflicts, such as those in Liberia, Sierra Leone and Somalia, was commendable, the slow pace of the Security Council when it came to taking decisions concerning Africa gave cause for concern. For example, the Security Council had not yet followed up on the request for assistance from the President of Zambia to enable the Joint Military Commission to begin its work after the signing of the ceasefire agreement in the Democratic Republic of the Congo.

71. Uganda was firmly committed to the implementation of the Lusaka peace agreement because it represented the first settlement plan supported by all the belligerents at the level of the sub-region. It had contributed $100,000 to enable the Joint Military Commission to begin its work. Tragedies had occurred which could have been prevented with the necessary political will. Moreover, it was less expensive to prevent conflicts than to deploy peacekeepers. The Security Council must be prepared to act in Africa as it had done in other parts of the world, particularly in Kosovo and East Timor. His delegation paid tribute to the staff members who had perished in Burundi and in Kosovo.

The meeting rose at 5.25 p.m.

United Nations A/C.4/54/SR.12

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Held at Headquarters, New York, on Wednesday, 20 October 1999, at 3 p.m.

Chairman: Mr. Zackheos ..... (Cyprus)

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Agenda item 90: Comprehensive review of the whole question of peacekeeping operations in all their aspects (*continued*)

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99-81740 (E)

The meeting was called to order at 3 p.m.

Agenda item 90: Comprehensive review of the whole question of peacekeeping operations in all their aspects (*continued*) (A/54/87, A/54/63-S/1999/171, A/C.4/54/L.2*)

1. **Mr. Kazhura** (Belarus) said that his delegation supported the statement made by the representative of Jordan on behalf of the Movement of Non-Aligned Countries.

2. There was no doubt that the United Nations had a primary role to play in the maintenance of international peace and security. The deployment of armed forces should be an exceptional measure, which could be taken only on the decision of the Security Council, once all other political and legal remedies had been exhausted. It was not justified unless international peace and security were truly threatened and it did not contravene the principle of the sovereignty of States recognized by the Charter.

3. It was particularly important to consider agenda item 90 because the Charter contained no precise provision concerning peacekeeping operations. All the legal aspects of recourse to force in international relations deriving from the principles laid down in the Charter, must be considered, and at the same time agreement must be reached on modalities for the implementation of decisions.

4. In view of the increasing number of internal conflicts, the instruments available to the Organization must be considered in detail, in particular to prevent and settle crisis situations. It was a question not only of reacting in cases of acute crisis, but also and above all of identifying the deep-seated causes of conflicts and the means to be used to eliminate them.

5. The degree of success achieved by the Organization in Kosovo and in East Timor would be the yardstick for measuring its effectiveness in maintaining international peace. The normalization of the situation in the Balkans and in Indonesia would not be possible unless all the parties to the conflicts participated in formulating the mandate of the peacekeeping missions in accordance with the principles set forth in the relevant Security Council resolutions.

6. Belarus, which was one of the States which had urged that the United Nations should settle the question of Kosovo, was gratified that the Security Council had supported that point of view by adopting resolution 1244 (1999). The consideration of the question of Kosovo should lead to the adoption of a binding legal instrument that would define the conditions of recourse to force in the settlement of international crises in accordance with respect for the sovereignty and territorial integrity of States and the norms of international law.

7. It was gratifying that the United Nations and regional bodies were jointly trying to implement rapid response and preventive diplomacy measures. The United Nations should not relinquish its responsibilities, however, but should make the best possible use of the comparative advantages of regional bodies to ensure the maintenance of peace. Regional bodies should be able to intervene only in the context of the provisions of Chapter VIII of the Charter, with the authorization of the Security Council and under its strict control.

8. Belarus was in favour of the adoption of a coherent, well-planned, coordinated and comprehensive approach to conflicts which included political and social measures. The international community should support not only the Secretariat departments specifically responsible for peacekeeping activities, but also all the components of the United Nations system which were working for sustainable development. It was through preventive economic and social diplomacy that it would be possible to eliminate the causes of conflicts.

9. Belarus believed that the stand-by arrangements system should be developed so that the Organization could react faster to the crises which broke out in the world. It intended to strengthen the support it provided to peacekeeping operations. Lastly, his delegation fully supported the view expressed by the Movement of Non-Aligned Countries that the question of "humanitarian interference" should be considered by the competent bodies of the General Assembly.

10. **Mr. Suh Dae-won** (Republic of Korea) said that the Republic of Korea endorsed a number of the recommendations made by the Special Committee in its report (A/54/87), and supported their early implementation.

11. The Republic of Korea deplored the increasing tendency to target United Nations peacekeepers, particularly with political motivations, and paid tribute to all those who had lost their lives in service to the United Nations. It urged States which had not yet done so to ratify the Convention on the Safety of United Nations and Associated Personnel and encouraged the Department of Peacekeeping Operations to explore avenues for strengthening the security of peacekeepers.

12. His delegation supported the Special Committee's recommendations regarding the strengthening of the protection of humanitarian personnel in conflict situations.

The mandates must be clearly defined so that they could be implemented in a timely, effective and impartial manner, and adequate resources were procured. His delegation appreciated the support of other delegations for its initiative in that matter.

13. His delegation was pleased that the Department of Peacekeeping Operations was continuing to fulfil its mandate despite the reduction in staff, but was concerned that the phasing out of gratis personnel could have a negative impact on the Department's capacity for intervention; once again, it called upon the Department to elaborate transitional arrangements at Headquarters and in the field. Member States should be encouraged to conclude standby arrangements to enable the United Nations to react rapidly in crisis situations. The Republic of Korea, for its part, intended to participate in the operation of the Rapidly Deployable Mission Headquarters to facilitate the deployment of new peacekeeping operations.

14. The Republic of Korea found it deplorable that non-payment of arrears by certain Member States had forced the United Nations to sustain regular budget activities only by cross borrowing and to delay reimbursements to troop and equipment contributors. It urged Member States to pay their contributions on time, in full and without conditions.

15. The Republic of Korea supported the recommendations made by the Special Committee in its report with a view to improving working methods. More broadly, innovative solutions must be found to improve the effectiveness of peacekeeping operations so as to ensure the long-term success of peacekeeping efforts.

16. **Mr. Enkhsaikhan** (Mongolia) endorsed the South African statement made on behalf of the Non-Aligned Movement concerning the adoption of new working procedures, the observance of international humanitarian law by United Nations forces, the recruitment or personnel and reimbursement.

17. Through its peacekeeping operations, the United Nations had been able to save the lives of millions by helping to create political conditions conducive to resolving conflicts and promoting negotiations.

18. Peacekeeping operations had been downsized. Yet the deployment of new missions in Kosovo, the Democratic Republic of the Congo and East Timor, the expansion of the operation in Sierra Leone and the likelihood of a mission in Eritrea and Ethiopia would require the commitment of tens of thousands of personnel as well as vast amounts of financial resources and equipment, all of which posed problems.

19. Mongolia firmly supported the Charter principles of the sovereignty, territorial integrity and independence of States and of non-interference. The consent of the parties, impartiality, clearly defined mandates, objectives and command structure and adequate, predictable financing were essential for the success of peacekeeping operations.

20. Peacekeeping offered only provisional solutions and did not eliminate the underlying causes of conflicts. Therefore, if the international community moved from a culture of reaction to a culture of prevention, many lives would be saved as well as vast amounts of financial and other resources that could be devoted to economic and social development.

21. The evolving nature of conflicts and the multiplicity of their causes required a multidimensional approach that called for the performance of non-traditional tasks, as in Kosovo and East Timor.

22. Mission planning in the field, a cooperative relationship with local administrations, the recruitment of skilled and well-trained personnel and solid technical and financial backing were the keys to the success of any peacekeeping operation. Mongolia was convinced of the need to strengthen the Department of Peacekeeping Operations, and commended Norway and the other States which had assisted in the training-for-peace programme.

23. Mongolia, which now intended to take a direct part in United Nations peacekeeping operations, had signed a memorandum of understanding on standby arrangements and had held a national seminar on peacekeeping operations. It was counting on the cooperation of the Department, but also that of the troop-contributing countries and those which organized personnel training programmes, whose experience would be invaluable.

24. His delegation welcomed the entry into force of the Convention on the Safety of United Nations and the Associated Personnel and hoped that a growing number of States would soon ratify it. Mongolia itself intended to initiate ratification procedures. It also supported the measures to ensure the security of peacekeeping personnel that were outlined by the Deputy Secretary-General in the plenary Assembly.

25. Regional organizations could play an important role in peacekeeping operations if they observed the principles set out in the Charter, especially Chapter VII, and the mandate of the Security Council, but they could not replace the United Nations.

26. **Mr. Dausá Céspedes** (Cuba) endorsed the statement by the representative of Jordan on behalf of the Non-Aligned

Movement. The principle of the consent of the parties to a conflict, an absolute precondition for launching any peacekeeping operation, could not be disregarded, nor could the basic principles of the Charter with respect to the unconditional observance of the sovereignty and territorial integrity of States, non-interference into their internal affairs and the sovereign equality of States. Furthermore, when they sidestepped the authority of the Security Council, peacekeeping operations were liable to become a foreign policy tool in the hands of some Powers.

27. Cuba firmly supported the decisions taken by the Working Group of the Department of Peacekeeping Operations and by the Non-Aligned Movement with a view to improving working relations between the Special Committee and the General Assembly in the interest of greater effectiveness.

28. The standby arrangements were an ideal rapid deployment means. As for the humanitarian law guidelines given to peacekeeping forces, his delegation joined with the others that had deplored the absence of substantive consultations on the matter. Cuba was, moreover, concerned about the delays in reimbursing countries that contributed troops and equipment.

29. It was absolutely necessary to establish a clear distinction between peacekeeping operations and humanitarian action, especially when the latter was a cloak for a hegemonic agenda.

30. In conclusion, he drew attention to the root causes of conflicts — poverty and economic underdevelopment — which had to be attacked if the aim was to find a just and lasting solution to conflicts and to promote peace.

31. **Mr. Macedo** (Mexico) said that the two crises that had dominated the international scene in 1999, Kosovo and East Timor, had demonstrated the few strengths and many weaknesses of the United Nations in the area of conflict resolution. The use of the veto, an anachronistic procedure of the Security Council, and the interests of a small number of powerful States often prevented the Organization from acting according to its principles, which seemed to have been sacrificed in the name of pragmatism and efficiency.

32. Mexico opposed that trend and considered that it was imperative to defend principles and international law. The consent of the parties was one such principle which it was essential to respect and which was the prerequisite for the success of any operation. Moreover, peacekeeping operations must respect the sovereignty and territorial integrity of States and must display neutrality and impartiality.

33. The Mexican delegation reaffirmed its concern regarding what could be called "coalitions of interested parties", which essentially meant the abdication by the United Nations of its responsibilities and which were being legitimized through an increasingly lax interpretation of Chapter VII of the Charter of the United Nations.

34. As rightly emphasized in the report of the Special Committee, peace-keeping operations should not serve as the pretext for ignoring the underlying causes of conflicts, i.e. the problems of development, political instability and the absence of economic and social structures.

35. Mexico recognized the role devolving to regional bodies in conflict resolution, but recalled that the maintenance of peace and security was first and foremost the responsibility of the Security Council of the United Nations. Moreover, the collaboration of regional bodies must be carried out with strict respect for the provisions of Chapter VIII of the Charter of the United Nations.

36. Peacekeeping operations were becoming increasingly complex and their traditional military mandates, which were based on the authority of the Security Council, were being supplemented with numerous tasks of a civilian nature such as election monitoring, institution-building and strengthening of peace. The Mexican delegation was of the view that the responsibility for such civilian activities lay with the General Assembly and not with the Security Council.

37. With regard to rapid deployment, the Mexican delegation wished to emphasize that the decisive factor in an intervention was not its rapidity but the consent of the parties concerned. Moreover, it shared the view that the Stand-By Arrangement System should be the means for strengthening rapid deployment capacity. That given, Mexico considered that numerous factors connected with the functioning of such a mechanism required further study, and that it would thus be premature to take a decision on the subject.

38. Finally, Mexico joined the members of the Non-Aligned Movement in reiterating that it was absolutely indispensable to establish a clear distinction between humanitarian activities and peacekeeping operations.

39. **Mr. Junior** (Mozambique) said that his delegation supported the statement made by the representative of Jordan on behalf of the Non-Aligned Movement. On the eve of the new millennium, violent conflicts were shaking various parts of the world, and Africa, the continent most affected,

required strong peacekeeping efforts. In that regard, the decision taken at the latest summit of the Organization of African Unity (OAU) to make the year 2000 a Year of Peace and Security with the goal of ending conflicts in Africa had been an important step towards restoring peace and security, not only for the continent but for the entire world. It was intended to promote a durable peace and reinforce the OAU Mechanism for Conflict Prevention, Management and Resolution in Africa. That Mechanism, together with other subregional initiatives and with adequate resources and assistance, could constitute the backbone of the search for a durable peace throughout the continent.

40. There would be no durable peace in Africa without sustained development in all countries of the region. For that reason, peacekeeping operations should not only contribute to the restoration of peace, but also facilitate the transition from emergency to reconstruction, and then from that stage to sustainable development. For there to be a stable peace, it was necessary to address the root causes of conflicts, especially by providing debt relief or cancellation, reversing the decline of Official Development Assistance, and improving the terms of trade in order to allow weaker economies access to the world market. The United Nations must also concentrate on conflict prevention by supporting preventive diplomacy and further enhancing the system of rapid deployment.

41. Mozambique welcomed the recent proposal of the Secretary-General to deploy a contingent of 6,000 troops in Sierra Leone, as well as the positive reaction of the Security Council to that proposal.

42. The Southern Africa Development Community was also contributing to the search for peace and stability in the region and for that purpose had established its own mechanism, the Organ on Politics, Defence and Security. With other countries in the region, Mozambique was participating in the common search for solutions to the conflicts in its sister countries of Angola and the Democratic Republic of the Congo. Nevertheless, in order to successfully play that important role, the Community needed international support.

43. In the case of the Democratic Republic of the Congo, the Mozambican delegation recalled the recent statement in the Security Council of its Minister for Foreign Affairs and Cooperation, in which he had noted that the Southern Africa Development Community hoped to establish a solid partnership with the United Nations in order to guarantee the implementation of the Lusaka Agreement, and had added that the early and timely deployment of peacekeeping forces, in sufficient numbers and with adequate resources in conformity with Chapter VII of the Charter of the United Nations, was imperative for the achievement of lasting peace and stability in the Democratic Republic of the Congo.

44. Mozambique, which had made a modest contribution to the peace process in East Timor and in Kosovo, stood ready to contribute to international peace and security.

45. **Mr. Gatilov** (Russian Federation) was of the opinion that the growing demand for United Nations peacekeeping operations, from Africa to East Timor, testified to the fact that such operations were efficient tools for securing global and regional stability. The Organization had accumulated great practical experience in that sphere over the past half century and must continue to play a central role. An important component of the concept of the world in the twenty-first century which President Yeltsin had put forward was the strengthening of the legal foundations of peacekeeping in strict compliance with the principles set out in the Charter of the United Nations.

46. He was concerned that the international community increasingly tended to rely on coercive measures and military pressure while ignoring available political and diplomatic means of settling conflicts. The lessons of the events in Kosovo must be learned: the use of illegitimate methods only aggravated problems. Fortunately joint efforts had made it possible to bring the Kosovo problem back into the framework of the United Nations for a political and legal settlement under the control of the Security Council. It was therefore important to strictly implement Security Council resolution 1244 (1999).

47. Operations of a coercive nature must be reserved for exceptional circumstances and must be undertaken according to strict guidelines following a decision of the Security Council and under the political and operational control of the Council when all other options had been exhausted.

48. The rules of engagement governing the use of force in self-defence must be clearly defined in the mandates of operations established by the Security Council. It was unacceptable that the rules or mandates be interpreted to serve political interests.

49. The maintenance of regional and international stability directly depended on the prevention and settlement of humanitarian crises, but violations of international humanitarian law should not be stopped by actions which contradicted the Charter of the United Nations, especially when such actions served to sanction a State or a people not to the liking of some Member States.

50. The time had come to review and develop international law to include enforcement action undertaken by the

international community, including in the case of humanitarian emergencies, within a well-defined legal framework pursuant to the Charter of the United Nations. The Russian Federation was ready to participate in such efforts, which must be collaborative so that the decisions taken would be consensual and unopposed.

51. In the overwhelming majority of cases, United Nations peacekeeping operations had undeniable advantages over operations undertaken by coalitions or multinational forces. However, given the limited resources of the Organization, peacekeeping operations undertaken by ad hoc coalitions or multinational forces could be justified provided that such operations fully respected the principles set out in the Charter and were undertaken under the control of the Security Council.

52. Peacekeeping operations were not an end in themselves but a means to achieve a political settlement and that should be made absolutely clear in their mandate, which must be of limited duration and subject to review as their goals were achieved.

53. The root causes of conflicts must be attacked in order to deal with the emergence of a new type of conflict which, although internal, threatened international peace and security, it had become necessary to act simultaneously on several fronts: disarmament, demobilization and reintegration of combatants into civilian life, demining, as well as closer collaboration right from the planning stage with humanitarian bodies whose objectives did not always coincide with those of the peacekeeping operations. Technical capacity-building must also be reinforced and more material resources must be mobilized in order to respond rapidly to a crisis. In that context the Standby Arrangements System must be completed.

54. Cooperation between the United Nations and regional arrangements must be strengthened in accordance with Articles 52 and 53 of Chapter VIII of the Charter and responsibilities should be shared between them in a rational manner, without diluting the central role of the United Nations and the prerogatives of the Security Council. It was essential to enhance the capacity of African regional and subregional organizations which were cooperating with the United Nations to prevent and settle conflicts and humanitarian catastrophes. His delegation believed that joint action by the United Nations and regional arrangements was especially important given the growing cooperation between the United Nations and the Commonwealth of Independent States (CIS) in the settlement of conflicts within the latter's territory. He welcomed the role played by United Nations observers cooperating with the CIS peacekeeping forces deployed in Georgia and Tajikistan. The full disarmament of combatants and their reintegration into civilian life in Tajikistan continued to be a source of concern, especially with regard to financial assistance.

55. The security of peacekeeping forces was increasingly threatened. He paid a tribute to all peacekeeping personnel, including Russian citizens, who had given their lives in the cause of peace. All attacks against peacekeeping personnel should be investigated with a view to punishing those responsible.

56. His delegation shared the concern about delays in reimbursing troop-contributing countries. Peacekeeping operations must have solid financing. The scale of assessments should be reviewed in order to reflect the real economic situation of States and their capacity to pay, and the permanent members of the Security Council must fulfil their financial obligations. Despite its economic difficulties, the Russian Federation continued to pay its debts to the United Nations and was in arrears for only one peacekeeping operation. All States must pay their peacekeeping assessment. The Organization's financial burden would also be reduced if countries hosting peacekeeping operations provided them with certain services on a preferential basis.

57. Fully aware of its responsibilities as a permanent member of the Security Council, the Russian Federation would continue to make a practical contribution to United Nations peacekeeping activities and to international efforts carried out under its auspices.

58. **Mr. Baali** (Algeria), noting that there were more peacekeeping operations than ever before, wondered whether the United Nations should intervene only once a ceasefire was in force, in other words to maintain peace, or whether it should restore peace. Although it was recognized that the United Nations acted on behalf of the international community, true decision-making power remained the privilege of a limited number of countries whose motivations were not always those of the collective will. Discounting, or even completely ignoring, the opinion of a large majority of Member States, could, if such an attitude became the rule, cause the Organization to stray from its rightful path and draw it into operations for which it had no authority. In that context, the concept of humanitarian intervention had been categorically rejected by the Ministers for Foreign Affairs of the Non-Aligned Countries and the Group of 77 and China, since it had no legal basis either in international law or in the Charter of the United Nations. With regard to the implementation of peacekeeping operations, it was important to react rapidly, in order to avoid massacres such as had occurred in Africa, where the Organization had been slow

to react. Although the African Heads of State and Government had decided to resolve conflicts within the framework of the Organization of African Unity (OAU), the United Nations and in particular the Security Council should not consider themselves relieved of their obligations to Africa. The recommendation made by the Department of Peacekeeping Operations that a working group be created to study the enhancement of African peacekeeping capacities had been welcomed by African delegations, on condition that the group's work was undertaken within the general framework of cooperation between the United Nations and OAU and that its objective was to reinforce the work of the African Mechanism for Conflict Prevention, Management and Resolution in Africa.

59. It was also important to find an urgent solution to the Organization's financial crisis, and thus improve its ability to react, which was basically the result of some States failing to fulfil their obligations towards the Organization, in particular permanent members of the Security Council which had special responsibilities clearly defined in the Charter. The Organization must also pay its debts towards troop-contributing countries, in particular the poorer countries, in order to encourage Member States to contribute to future operations and to reinforce the Organization's credibility.

60. His delegation believed that the code of conduct for peacekeepers had been adopted in haste and without real consultation with Member States, which should have had the opportunity to study the code in detail because it had direct implications for host countries. Algeria had always acted in solidarity with United Nations peacekeeping actions as regards both financing and participation of elements of its armed forces in various missions, in addition to the material and logistical support which it was providing to the United Nations Mission for the Referendum in Western Sahara (MINURSO).

61. **Mr. Haque** (Pakistan) said that there must be a fundamental reappraisal of the United Nations capacity to deal with the many diverse conflicts which were arising in different parts of the world. Real peace required efforts in all areas to eliminate the political, social, economic, ethnic, religious and other underlying causes of conflicts. Some of the challenges which needed to be addressed urgently in the context of peacekeeping included: the growing number of internal conflicts, the humanitarian dimension of conflicts, the establishment of uniform criteria for United Nations involvement, arrangements for a rapid and effective response to crisis situations irrespective of geographical location, the tendency by some to bypass the United Nations, the definition of a new role for regional organizations, the tendency to use the Security Council to promote parochial interests, the Security Council's proclivity for overstepping its role in the area of the maintenance of international peace and security, the selective implementation of Security Council resolutions, the rising costs of peacekeeping operations and the non-payment by certain Member States of their contributions.

62. His delegation was committed to international peace, collective security, preventive diplomacy, peaceful resolution of conflicts and post-conflict peace-building and had requested the Secretary-General to strengthen the United Nations Military Observer Group in India and Pakistan (UNMOGIP), one of the oldest peacekeeping operations. The root cause of the conflict between Pakistan and India was the issue of Jammu and Kashmir, which must be resolved in accordance with Security Council resolutions and which was particularly urgent in view of the nuclearization of South Asia. Like the people of East Timor, the people of Jammu and Kashmir must have the opportunity to exercise their right to self-determination in accordance with the commitments made by the Security Council, India and Pakistan. As proof of his desire for peace, the Chief Executive of Pakistan had announced on 17 October 1999 that Pakistan would unilaterally withdraw its troops from the border with India.

63. The role of regional organizations in peacekeeping operations must be in accordance with the provisions of Chapter VIII of the Charter. The international community must not delegate peacekeeping operations to regional organizations. The United Nations alone must have the ultimate responsibility for deciding what role regional players should have.

64. The international reaction to crises in Africa had been slow and late in arriving. In future, the Organization must be fully prepared to intervene urgently in that continent.

65. With regard to the operational aspects of peacekeeping operations, logic and reason had fortunately prevailed and the Organization had put an end to the use of gratis personnel in accordance with the relevant resolutions of the General Assembly, even if the latter had not been followed in the case of Kosovo. The Standby Arrangement System should be reinforced and the Rapidly Deployable Mission Headquarters must be made operational. All aspects of civilian police participation in missions must also be reviewed. The reimbursement of sums due to troop contributors continued to be slow, causing hardship to those countries, in particular the developing countries. He noted that the Organization owed $40 million to Pakistan while rich industrialized countries refused even to pay their assessed contributions. That was an unacceptable situation.

which must be rectified. The poor countries must not suffer simply because the rich countries did not fulfil their obligations. Finally, he said that more than 90 per cent of procurements were made from the developed countries. The procurement process must therefore be made more transparent and more developing countries must be added to the procurement sector.

66. **Ms. Grčić Polić** (Croatia) said that both the scope and character of peacekeeping operations were undergoing significant change. The role of the Organization in the resolution of crises should in future be to deal with the root causes of conflicts, not just their symptoms. The experience gained from previous operations, for example in Croatia, had been invaluable for future peacekeeping operations. Regional organizations and ad hoc coalitions of international forces were gradually assuming more responsibility for peacekeeping and security at various phases of the process. That was a real dilemma which must be addressed within the United Nations system, the only world organization with a universal mandate for the maintenance of peace and security. Preventive peacekeeping, such as the successful mission in Macedonia, provided another example of the Organization's new role in peacekeeping and should be highlighted by the Organization. The volume and the nature of the demand for peacekeeping operations was creating new needs for financing, personnel and rapid reaction capacity. Her delegation fully supported the Secretariat's restructuring efforts but regretted the way in which the Secretariat had failed to seek input from Member States on the question of guidelines for United Nations forces on the respect of international humanitarian law.

67. The new situation required that financial contributions should be paid without delay or conditions. Croatia joined other Member States in calling for shorter reimbursement cycles, particularly for the States whose capacity to participate in future peacekeeping operations was at stake. Croatia had recently dispatched 10 military observers to UNOMSIL and was actively considering future contributions. In that connection, it believed that consultations between troop-contributing countries and the Security Council should be institutionalized and should include, whenever appropriate, countries especially affected and other countries from the region concerned, including host countries.

68. **Mr. Mekdad** (Syrian Arab Republic) said that peacekeeping operations remained an important instrument for the maintenance of international peace and security but should be time-bound in order to implement the resolutions of international bodies, including the Security Council, concerning a specific situation, such as aggression and foreign occupation. Peacekeeping operations had started more than 50 years previously in the Middle East region and were continuing to fulfil their mission successfully, especially as the international community had a leading role to play in the settlement of the Middle East crisis. His country was ready to provide the best possible working conditions for UNTSO and UNDOF observers and hoped for a solution to the problems which it had raised in May 1999 in the Fifth Committee, during the consideration of the financing of UNDOF, concerning the difficult living conditions of local staff since the transfer of the Force's headquarters. The Syrian Arab Republic was aware of the need for the United Nations to have a standby force and was prepared to participate in one. In that connection, it welcomed the decision of certain countries not to insist on arrangements that would be contrary to the principle of equal opportunity for all Member States to participate in the force. It also welcomed the decision to phase out gratis personnel. It supported the Non-Aligned Movement's position of principle that a distinction should be drawn between peacekeeping operations and humanitarian activities. His delegation believed that the question should be studied so as to establish a balance between the role incumbent on the Security Council and that of the General Assembly in humanitarian matters.

69. Despite some progress, procurement remained a problem, because most of the purchases were made in developed countries. It was therefore important to encourage the conclusion of contracts with developing countries, so as to help them to deal with their economic difficulties. His delegation supported the report of the Special Committee on Peacekeeping Operations, particularly with regard to certain important matters, such as the need to pay the arrears owed to troop-contributing countries, particularly developing countries, transparency in the choice of countries wishing to participate in peacekeeping operations and, lastly, participation of all troop-contributing countries in the informal consultations organized by the Security Council in preparation for operations. It was also important to take geographical distribution into account in the choice of commanders of peacekeeping operations.

70. **Mr. Jayanama** (Thailand) said that the end of the cold war had dramatically transformed the challenges facing peacekeeping operations. Conflicts were often domestic in nature and accompanied by social and economic dislocations, so that peacekeeping applied not only to post-conflict situations but also to pre-conflict nation-building. There was therefore a need for close coordination of peacekeeping operations among all United Nations agencies concerned, as well as with civil society. Peacekeepers, who

were often confronted with human rights violations, must promote human rights in cooperation with bodies such as the Commission on Human Rights, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, because respect for human rights was important for conflict resolution and the rebuilding of society. Peacekeeping operations were primarily the responsibility of the Security Council and must respect the principles and purposes enshrined in the Charter. It was essential that the United Nations should receive the consent of the country in which peacekeeping operations would be undertaken. Regional organizations could also play a role, as envisaged in Chapter VIII of the Charter, but the United Nations must play the principal role.

71. The United Nations and particularly the Security Council must be able to launch a mission quickly before the crisis escalated, in a non-discriminatory and non-selective manner, in strict accordance with the United Nations rules of engagement and the mandate given by the Council.

72. The 18 peacekeeping operations in place were making an invaluable contribution to the prevention of hostilities and the establishment of peace, but it should not be forgotten that peacekeeping was not an end in itself but only one of the means to establish the conditions for peace and that it could therefore not replace efforts by the parties concerned to address the root causes of the conflict. In a sense, the prevalence of peacekeeping in the world indicated that the international community had failed to solve the fundamental problems of international peace and security.

73. Thailand attached great importance to peacekeeping and, despite its difficulties caused by the economic crisis, supported the operations conducted by the United Nations worldwide. Thailand had affirmed its readiness to join the Standby Arrangements System and was preparing to send men under the banner of the United Nations to East Timor, out of a sense of responsibility towards both the region and the international community.

74. **Mr. Ortague** (United States of America) said that the Special Committee, which had made a meaningful contribution to peacekeeping, would become even more effective following the revision of its work methods. Events during 1999 had made clear the urgent need for significant United Nations involvement in peacekeeping. The Special Committee was more important than ever and it must enable Member States to make recommendations to the United Nations and give the Organization the capacity to address the ever-expanding workload of peacekeeping operations, which in the coming six months could double the number of peacekeepers in the field. His delegation agreed with the Secretary-General that the United Nations must have an effective "surge capacity" to address unexpected international crises. In particular, the Secretary-General must have the flexibility to ensure that the Organization had the right resources and skills at the right place and for the right period of time, to accomplish all mandated missions. The expansion and further development of the Standby Arrangement System was fundamental to the enhancement of the United Nations surge capacity. In addition, the Department of Peace-keeping Operations must be equipped with adequate military and civilian police expertise, which must be fully integrated with all aspects of mission development and execution. The establishment of the Rapidly Deployable Mission Headquarters would improve United Nations capacity to respond to the challenge. Several peacekeeping operations would undoubtedly continue to require a rapid civilian police response and Member States should make a special effort to strengthen United Nations capacity to provide such assistance. To that end, systematic procedures should be established for civilian police recruitment, advanced training should be provided for those lacking international experience, and official status should be given to a permanent cadre to facilitate mobilization, discipline and overall quality control.

75. The training unit in the Department of Peacekeeping Operations played an important role in improving the capacity of Member States to participate in peacekeeping operations. Through its African Crisis Response Initiative, the United States Government intended to train over 10,000 peacekeepers across Africa to participate in peacekeeping operations. In that programme, the United States had actively sought strong linkages with the United Nations and the Organization of African Unity.

76. The United States Government was concerned that the standing instructions from the Secretary-General on the respect of international humanitarian law by United Nations forces were not the result of the true collaboration among the parties concerned, because the Secretariat had published them after holding only very brief consultations. That very important question should be the subject of a new series of consultations with the Secretariat.

77. He concluded by paying tribute to the 14,000 United Nations personnel participating in peacekeeping operations in the field. He was very concerned by attacks and acts of violence against United Nations personnel in Kosovo, Burundi, Georgia and Sierra Leone, and called on host countries to fulfil their legal obligations to ensure their safety and security.

78. **Mr. Yousefi** (Islamic Republic of Iran) associated his delegation with the statement made by the representative of Jordan on behalf of the Non-Aligned Movement.

79. The Security Council was entrusted with the primary responsibility for the maintenance of international peace and security, and peacekeeping operations therefore constituted an important part of United Nations activities to prevent the escalation of conflicts through peaceful means. Those operations must be carried out in strict accordance with the guiding principles enshrined in the Charter of the United Nations. When establishing a new operation, the Organization must ensure impartiality of the peacekeeping forces, consent of the warring parties and non-use of force except in cases of self-defence. In order to succeed, all operations must have clearly defined mandates and objectives.

80. While acknowledging that armed conflicts typically took a heavier toll on civilians and more than 90 per cent of armed conflicts were internal, he believed that the United Nations should not allow factors beyond its control such as media coverage, politics and geography to play a determining role in the way it responded to crises and allocated resources. The crisis in Kosovo had dominated global media headlines during the preceding year, yet equally serious or even more serious crises occurring in other parts of the world had been largely ignored. At a moment when new peacekeeping operations were being established, it was important for the Security Council to approach all conflicts endangering international peace and security with the same degree of intensity and commitment, irrespective of their location.

81. It was imperative for the Organization to maintain a clear distinction between humanitarian operations and all other activities of the United Nations system, including peacekeeping. Lack of consensus in the Security Council at times of crisis did not entitle any country or group of countries to act unilaterally to deal with a conflict. There was no viable alternative to the United Nations as a unique mechanism for maintaining international peace and security. The impotence of the Security Council in the case of Kosovo had proved once again that the right of veto must be limited, with a view to its eventual elimination. In addition, strengthening the role of the General Assembly and increasing its efficiency should remain on the agenda for the decades to come.

82. United Nations peacekeeping operations should reflect the collective efforts of the entire membership. His delegation believed in the principles of collective security and the collective responsibility of Member States for the maintenance of international peace and security, and had joined the standby arrangements system in March 1900, convinced that that system, open to all States, was essential for the increased effectiveness of United Nations peacekeeping operations and needed to be strengthened in order to achieve its goals. Countries contributing troops to peacekeeping operations must be provided with all necessary information concerning their contribution; the Department of Peacekeeping Operations should take under consideration offers by Member States to contribute to peacekeeping operations.

83. His delegation believed that peacekeeping must not become an area of competition between the United Nations and the regional organizations, and therefore associated itself with the position of the Non-Aligned Movement, emphasizing that cooperation between them should be consistent with the letter and spirit of Chapter VIII of the Charter of the United Nations. The training of peacekeepers was a national responsibility, however, the United Nations and its respective organs had an important role to play in such training activities. His delegation attached great importance to the Training Unit of the Department of Peacekeeping Operations and was of the opinion that United Nations Training Assistance Teams would improve Member States' capacity to train their personnel with a view to participation in peacekeeping operations, which would improve the effectiveness of missions in the field.

84. With regard to recruitment, all posts should be filled in a transparent manner consistent with articles 100 and 101 of the Charter and on as wide a geographical basis as possible. Priority should be given to countries which were not yet represented in the Department of Peacekeeping Operations or in the field. In conclusion, he expressed his satisfaction at the spirit of cooperation in the Committee, which had resulted in a series of recommendations for the improvement of United Nations peacekeeping operations, such as the reform of the working methods of the Special Committee.

85. **Mr. Droushiotis** (Cyprus) said that Cyprus, as a country associated with the European Union, aligned itself with the statement made by the representative of Finland on behalf of the European Union.

86. United Nations peacekeeping operations, which had been a hallmark of the Organization's efforts to maintain international peace and security since its creation, had become multidimensional and complex and were a key element in the mechanisms established by the Organization for the maintenance of international peace and security.

87. It was currently widely recognized that most operations combined several strategies related to the prevention of conflict, peacemaking, peacekeeping and post-conflict peace-building, which required coordination. In that context, he welcomed the increasing recourse to the International Court of Justice which could be a useful complement to the work of the Security Council and the General Assembly. Cyprus was an excellent example of the fact that any peacekeeping operation must be accompanied by intensive peace-building efforts.

88. Following a request from Cyprus for assistance against Turkey, the Security Council had, by resolution 186 (1964), created the United Nations Peacekeeping Force in Cyprus (UNFICYP). As a complementary strategy, that resolution had appointed a United Nations mediator who had produced an exemplary report which, had it been accepted by all concerned, would have solved the problem and made UNFICYP unnecessary. Following the 1974 invasion and the division of the island by force, the mandate of the United Nations force had been adjusted, and it was carrying out additional functions to alleviate the human suffering caused by the military occupation. Nevertheless, despite repeated United Nations resolutions and the strenuous efforts of the Secretary-General through his good offices mission, the problem in Cyprus remained unresolved.

89. The lesson to be drawn from peacekeeping efforts in Cyprus was that as long as the two parties did not comply with the dictates of the international community as spelled out in the resolutions of the Security Council, which were binding and had been adopted unanimously, and as long as the members of the international community were unwilling or unable to take effective action to ensure the implementation of the resolutions for which they had voted, it would be impossible to restore peace and the problem would be perpetuated. Peacekeeping and peacemaking were complementary and when the peacemaking strategy fell behind on account of one party, the Security Council should act promptly and effectively to redress the situation.

90. In order to be effective, peacekeeping operations must be supported by stable financial resources. For that reason, Member States should pay their contributions in full and on time. In that connection, he pointed out that the Government of Cyprus contributed one third of the total costs of the Force and that it voluntarily contributed an additional one third more than its assessed contribution to all United Nations peacekeeping operations. The safety and security of personnel participating in peacekeeping operations was important and attacks and acts of violence against United Nations and associated personnel were a cause for great concern. His delegation therefore welcomed the entry into force of the Convention on the Safety of United Nations and Associated Personnel.

91. In conclusion, he paid tribute to the peacekeeping personnel who had lost their lives in the service of the United Nations.

92. **Mr. Leonel** (Brazil) supported the statement made by the representative of Uruguay on behalf of the member countries of MERCOSUR. In recent years, United Nations peacekeeping activities had multiplied and many lessons could be drawn from them. If the Organization was to be able to be effective in preventing conflicts and maintaining peace, it must be able to count on solid institutional and budgetary support.

93. Peacekeeping operations were now multidimensional in nature and had to face increasingly complex situations. It was no longer a question of selective operations, out of action in a much broader framework that included conflict prevention, humanitarian aid and reconstruction in the post-conflict phase through the promotion of economic and social development. If the Department of Peacekeeping Operations did not have sufficient resources and qualified personnel, it would be impossible for it to discharge its multiple responsibilities.

94. His delegation unreservedly supported General Assembly resolution 51/243 concerning gratis personnel, as well as the criteria for the recruitment and assignment of personnel set forth in the relevant resolutions of the General Assembly, in particular those relating to equitable geographical distribution, and those set forth in Articles 100 and 101 of the Charter. His delegation was gratified that the Secretariat had phased out the recruitment of gratis personnel in accordance with resolution 51/43. However, it shared the general concern about the impact of this reduction in staff on the operational capacity of the Department in the face of the multiple demands made on it. He expressed his delegation's concern about the negative impact of the financial crisis on the Organization's capacity to take action and deplored the considerable delays in the settlement of requests for reimbursement of troop-contributing countries. He also emphasized the importance of transparency in the placing of orders for supplies of equipment.

95. With regard to the protection of the civilian and military personnel engaged in peacekeeping operations, he emphasized the importance of training, together with the implementation of the relevant legal instruments.

96. In conclusion, he said that Brazil renewed its commitment to peacekeeping operations.

97. **Ms. Noda** (Guatemala) supported the statement made by the representative of Jordan on behalf of the non-aligned countries. Guatemala recognized the fundamental role which the United Nations Verification Mission in Guatemala (MINUGUA) had played in verifying human rights and compliance with the commitments made under the Peace Agreements concluded in December 1996. That Mission had facilitated the transition towards peace and had contributed to the democratization of Guatemala.

98. After decades of instability and conflict, which were endemic in certain Central American countries, it was now possible to speak of peace, to which the presence of a United Nations mission had contributed in most cases. What was needed now was to strengthen that peace and place it on the solid bases of justice, solidarity, equity, dialogue and democratic participation. Other questions deserved to be analysed carefully, such as the legitimacy of certain humanitarian interventions in the light of the serious legal consequences of that question.

99. On the threshold of the new millennium, Guatemala hoped that a deep and lasting peace would be established and was convinced that development, tolerance and mutual respect would contribute towards that end.

100. **Mr. Zahn** (International Committee of the Red Cross) observed that the Secretary-General of the United Nations had chosen the symbolic date of 12 August 1999, the date which marked the fiftieth anniversary of the Geneva Conventions, to issue his bulletin on respect for international humanitarian law by United Nations forces. That bulletin, which summarized the principal rules of humanitarian law, was expressly applicable to United Nations personnel. The International Committee of the Red Cross (ICRC) had contributed to the drafting of that text and was prepared to participate in any review thereof.

101. Peacekeeping operations played a unique role not only in the settlement of conflicts but also in the post-conflict phase. The members of the contingents assigned to those operations, under the command and control of the United Nations, were already, as members of national armed forces, bound by the international humanitarian treaties ratified by their respective countries. Those troops, acting on behalf of the international community, should in theory behave in an exemplary manner, but in practice their knowledge of humanitarian law proved to be variable and it was therefore for their benefit that the bulletin had been prepared. Operations authorized by the Security Council and placed under the command of a State or regional organization were not bound by those rules but were required to respect the customary rules of the State or group of States to which they belonged.

102. In response to the wishes of the Secretary-General concerning the adequate training of peacekeeping forces in the areas of humanitarian law and human rights, ICRC contributed to many training courses in those areas for members of contingents and was preparing a training module for them.

103. The International Committee of the Red Cross was gratified that the Secretary-General had requested troop-contributing States to recruit only those who were at least 21 years of age and in no case those under 18.

104. The International Committee of the Red Cross shared the view expressed by the Special Committee in its report that it was important to distinguish between peacekeeping operations and humanitarian action, since confusion between the different types of activity could only have an adverse effect on the conduct of each. Humanitarian action must retain its apolitical and independent character.

The meeting rose at 6.15 p.m.